

1999 HOUSE TRANSPORTATION

HB 1433


1999 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 1433

House Transportation Committee

Conference Committee

Hearing Date February 4, 1999

Tape Number	Side A	Side B	Meter #
machine error			
(2/11/99) 1	x		22.0-35.0
Committee Clerk Signature 			

Minutes:

CHAIRMAN KEISER OPENED THE HEARING ON HB 1433; A BILL RELATING TO COMMERCIAL DRIVERS LICENSES.

REP. JOHN WARNER, Dist. 4, introduced HB 1433. (See attached testimony).

STEVE STREGE, ND Grain Dealers Association, testified in support of HB 1433. (See attached testimony).

KEITH MAGNUSON, NDDOT, testified in a neutral position to HB 1433. He said that the Department of Transportation had some concerns that they retain the ability to decide which states they will honor. They want the ability to keep discretion over it.

CINDY WORELL, Chief Examiner of Drivers Licensing, testified on a point of clarification for the NDDOT. She stated that if you have a North Dakota Certified Drivers License, it is varied.

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House Transportation Committee

Bill/Resolution Number Hb 1433

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Out of state licenses are good for 120 days in a new stated. There is a minimal cost of a \$5.00 testing fee.

REP. BELTER asked what the requirements are for the test.

CINDY said that it mainly deals with HAZMAT transfer.

REP. BELTER further questioned the failure rate.

CINDY said that it is a running one. It will vary.

BOB GRAVELINE, North Dakota Safety Council, testified in support of HB 1433.

REP. MEYER asked what would happen to the drivers that have problems with test taking.

BOB said that this test is an excellent opportunity to prove their skills.

REP. THORPE asked if our tests are more stringent than other states.

CINDY said in some ways it is, but mostly it is right on track.

REP. LEMIEUX questioned some of the questions in the tests - they tend to be a bit deceiving.

CINDY said that they do take that in to consideration.

CHAIRMAN KEISER CLOSED THE HEARING ON HB 1433.

February 11, 1999

COMMITTEE ACTION

REP. BELTER moved a DO PASS on HB 1433. REP. KEMPENICH seconded the motion.

The motion carried.

ROLL CALL - 11 YEA, 2 NAE, 2 ABSENT AND NOT VOTING.

FLOOR ASSIGNMENT - REP. BELTER

Date: 2/11
Roll Call Vote #: 1

1999 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1433

House Transportation Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken DP

Motion Made By Rep Belter Seconded By Rep Kempenich

Representatives	Yes	No	Representatives	Yes	No
Representative Keiser, Chair	✓		Representative Thorpe	✓	
Representative Mickelson, V. Ch.	✓				
Representative Belter	✓				
Representative Jensen	✓				
Representative Kelsch		✓			
Representative Kempenich	✓				
Representative Price		✓			
Representative Sveen	✓				
Representative Weisz	✓				
Representative Grumbo	✓				
Representative Lemieux					
Representative Mahoney	✓				
Representative Meyer					
Representative Schmidt	✓				

Total (Yes) 11 No 2

Absent 2

Floor Assignment Rep. Belter

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE (410)
February 11, 1999 1:25 p.m.

Module No: HR-28-2588
Carrier: Belter
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1433: Transportation Committee (Rep. Keiser, Chairman) recommends DO PASS
(11 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). HB 1433 was placed on the
Eleventh order on the calendar.

1999 SENATE TRANSPORTATION

HB 1433

1999 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1433

Senate Transportation Committee

Conference Committee

Hearing Date March 5, 1999

Tape Number	Side A	Side B	Meter #
2	x		770-1785
March 11, 1999		x	2,295-2635
Committee Clerk Signature <i>Don A. Schaeffer</i>			

Minutes:

SENATOR B. STENEHJEM opened the hearing on HB 1433. Committee members present included: Sens. Bob Stenehjem, R. Schobinger, D. Mutch, D. Cook, D. O'Connell, V. Thompson, and D. Bercier.

REPRESENTATIVE JOHN WARNER testified in support of HB 1433 (see testimony).

SENATOR SCHOBINGER What do you envision when you talk about unique regulations?

REPRESENTATIVE JOHN WARNER Weight limitations, etc...

SENATOR SCHOBINGER Is this unique to the 49 other states or unique to where he is from?

REPRESENTATIVE It would be impractical for the state to tailor 50 different tests, it would have to be a short thing of our laws unique to ND.

SENATOR BERCIER I transferred from Texas and all I did was the written test not the skills test. Now in ND, are they required to do both the skills test and the written?

REPRESENTATIVE WARNER I think the state will usually waive the skills test.

BOB GRAVELINE, ND SAFETY COUNCIL testified in opposition to HB 1433. The state shouldn't be able to waive tests for commercial drivers. These people are professionals, they should be proud and glad to have an opportunity to improve their skills. Rules and regulations are different and they change. This is an acceptable inconvenience.

MARSHA LEMBKE, DOT I am here in a neutral position to answer any questions. The bill still says "may"; we have not waived it and won't. Our intention would not be to change that. We'd rather have you take the test since you will be driving in North Dakota. We do waive the road tests.

SENATOR MUTCH With the waiver, does he have to take the CDL.

MARSHA LEMBKE Yes, in most instances.

SENATOR B. STENEHJEM We will close HB 1433.

March 11, 1999 - Tape 2

SENATOR BERCIER I motion for a Do Not Pass.

SENATOR SCHOBINGER Second.

SENATOR BERCIER They have 90 days to transfer over their license already and if they can't learn the laws of ND driving in 90 days they may not ever learn them. There is plenty of opportunity to learn.

There was discussion.

The roll call was taken (4 Yeas, 3 Nays and 0 Absent and Not Present).

Senator Cook will carry HB 1433.

Date: 3-11-99
Roll Call Vote #: ~~311~~ 1

1999 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1433

Senate Transportation Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken do not pass

Motion Made By Sen. Bercier Seconded By Sen. Schobinger

Senators	Yes	No	Senators	Yes	No
Sen. B. Stenehjem-Chairman	X				
Sen. R. Schobinger-V. Chair	X				
Sen. Duane Mutch		X			
Sen. Dwight Cook	X				
Sen. David O'Connell		X			
Sen. Vern Thompson		X			
Sen. Dennis Bercier	X				

Total (Yes) 4 No 3

Absent 0

Floor Assignment Senator Cook

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE (410)
March 12, 1999 1:33 p.m.

Module No: SR-45-4685
Carrier: Cook
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1433: Transportation Committee (Sen. B. Stenehjem, Chairman) recommends DO NOT PASS (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1433 was placed on the Fourteenth order on the calendar.

1999 TESTIMONY

HB 1433



NORTH DAKOTA GRAIN DEALERS ASSOCIATION

STEVEN D. STREGE, Executive Vice President
ANN KORZENDORFER, Assistant Secretary
Ph: 701-235-4184, Fax: 701-235-1026
606 Black Building, Fargo, ND 58102

LARRY PHILLIPS, Safety & Health Director
Ph: 701-251-9112, Fax: 701-251-1758
P.O. Box 5055, Jamestown, ND 58402-5055

February 5, 1999

TO: Representative George Keiser, Chairman
House Transportation Committee
FROM: Steve Strege, ND Grain Dealers Association
RE: HB 1433

Yesterday I testified for our Association in support of the concept of this bill, with the qualification that it would not compromise safety. After listening to the DOT personnel speak in opposition to HB 1433, I want to reiterate that safety consideration. We are NOT in favor of granting ND CDL's to drivers from other states whose qualifications are not substantially in compliance with our state's standards.

CC: Keith Magnuson

HB 1433

TESTIMONY OF
REP. JOHN WARNER BEFORE THE
HOUSE TRANSPORTATION COMMITTEE
REP. GEORGE KEISER, CHAIRMAN

Mr. Chairman, Members of the Committee,

I am introducing this bill on behalf of a soon to be constituent who currently lives in Virginia. In March, he and his family will move back to his family's farmstead south of Stanley. Like most returnees, he loves the state of North Dakota but worries how he will piece together a living. Between he and his wife, they expect to take a pay cut of about \$60,000 per year to move back to North Dakota.

HB 1433 addresses a concern that he has about retaining his right to drive trucks commercially. He has no intent of making this his full time occupation, but life in western North Dakota often means piecing together a number of jobs to make a living and he would like to be able to drive occasionally. This bill would have the Department of Transportation create an abbreviated driving examination, testing only those areas of the law which are unique to North Dakota, which could be administered to drivers who have a current commercial license in another state.

North Dakota offers some clear advantages for commercial drivers, we are centrally located and we have hundreds of small towns with inexpensive housing and lots of space, ideal hometowns for long distance truckers. I think that this bill would make it easier for truckers to relocate to North Dakota and I know that you will give it serious consideration.



NORTH DAKOTA GRAIN DEALERS ASSOCIATION

STEVEN D. STREGE, Executive Vice President
ANN KORZENDORFER, Assistant Secretary
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LARRY PHILLIPS, Safety & Health Director
Ph: 701-251-9112, Fax: 701-251-1758
P.O. Box 5055, Jamestown, ND 58402-5055

March 5, 1999

TO: North Dakota Senate Transportation Committee
RE: HB 1433

Our Association supports HB 1433 as a method of increasing the pool of eligible CDL drivers. Grain elevators often have difficulty recruiting such drivers in the rush seasons of spring's work and harvest.

Our support is contingent upon the ND Driver's License authorities being able to administer the waiver provisions of HB 1433 without compromising public safety.

It is a fact that drivers with CDL's from other states are already traveling on ND roads.

HB 1433
TESTIMONY OF
REP. JOHN WARNER BEFORE THE
SENATE TRANSPORTATION COMMITTEE
SEN. BOB STENEHJEM, CHAIRMAN

Mr. Chairman, Members of the Committee,

I am introducing this bill on behalf of a soon to be constituent who currently lives in Virginia. In March, he and his family will move back to his family's farmstead south of Stanley. Like most returnees, he loves the state of North Dakota but worries how he will piece together a living. Between he and his wife, they expect to take a pay cut of about \$60,000 per year to move back to North Dakota.

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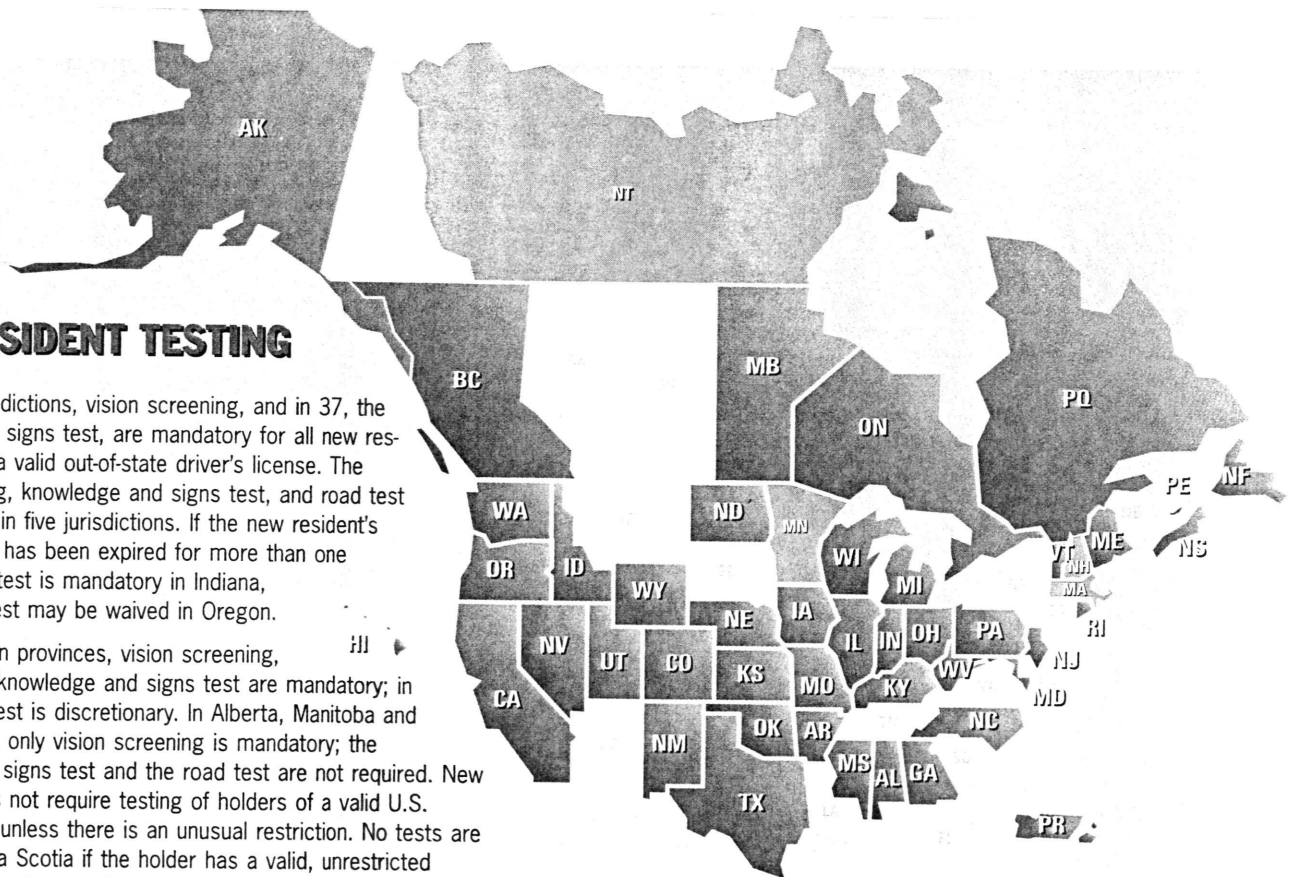
HB 1433 also addresses the critical shortage of drivers during the peak agricultural season. Farm suppliers are doing a pretty good job of prepositioning agricultural inputs in anticipation of the crush at planting time but certain things, especially anhydrous ammonia need to be replenished several times a day. This leads to the available drivers working extremely long days. Legislation which adds to the available pool of drivers would make the roads safer for all of us.

North Dakota offers some clear advantages for commercial drivers, we are centrally located and we have hundreds of small towns with inexpensive housing and lots of space, ideal hometowns for long distance truckers. I think that this bill would make it easier for truckers to relocate to North Dakota and I know that you will give it serious consideration.

NEW RESIDENT TESTING

In 48 U.S. jurisdictions, vision screening, and in 37, the knowledge and signs test, are mandatory for all new residents holding a valid out-of-state driver's license. The vision screening, knowledge and signs test, and road test are mandatory in five jurisdictions. If the new resident's driver's license has been expired for more than one year, the road test is mandatory in Indiana, and the road test may be waived in Oregon.

In nine Canadian provinces, vision screening, and in six, the knowledge and signs test are mandatory; in five, the road test is discretionary. In Alberta, Manitoba and Yukon Territory, only vision screening is mandatory; the knowledge and signs test and the road test are not required. New Brunswick does not require testing of holders of a valid U.S. driver's license unless there is an unusual restriction. No tests are required in Nova Scotia if the holder has a valid, unrestricted Canadian driver's license. If the holder has a valid, unrestricted U.S. driver's license, vision screening and the knowledge and signs test are mandatory and the road test is required upon failure of either the vision screening or the knowledge and signs test. Vision screening, the knowledge and signs test, and the road test are mandatory in Quebec and Prince Edward Island.



States with mandatory knowledge and signs tests for new residents holding valid out-of-state licenses

As reported in the Guidelines for Motor Vehicle Administrators State and Provincial Licensing Systems Comparative Data 1995, published by the U.S. Department of Transportation, National Highway Traffic Safety Administration in cooperation with the American Association of Motor Vehicle Administrators.