

1999 HOUSE TRANSPORTATION

HB 1468

1999 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 1468

House Transportation Committee

Conference Committee

Hearing Date February 5, 1999

Tape Number	Side A	Side B	Meter #
<i>machine</i>	<i>Spill</i>		
Committee Clerk Signature <i>Jana Neen</i>			

Minutes:

CHAIRMAN KEISER OPENED THE HEARING ON HB 1468; A BILL RELATING TO WIDTH AND LENGTH LIMITATIONS FOR TRUCK-MOUNTED HAYSTACK MOVING EQUIPMENT.

REPRESENTATIVE LUNDGREN, Dist. 28, introduced HB 1468. She said that it is a simple bill allowing more length at a 14 foot maximum width.

REP. WEISZ asked what truck mounted means.

REP. THORPE asked if longer and narrower is safer than what we presently have.

REP. LUNDGREN said that yes it is. Most accidents are caused by width rather than length.

LEANN WALD, North Dakota Highway Patrol, testified in opposition to HB 1468. She stated concerns of the Highway Patrol over the steer ability of such a vehicle. Safety is a problem as it may well impede the right of way. There is a chance of losing bails without knowledge of it on

the longer loads as well and the weight distribution will surely be a problem. Extending loads again has the tendency to overload the axle as well. There is no logic in making the trucks longer than they already are.

REP. LEMIEUX asked how many axles are on the trucks?

LEANN said five or six.

REP. LEMIEUX asked if you couldn't also put one ten foot trailer behind the other axle?

LEANN said you could but it would also impede driving and turning corners.

REP. GRUMBO questioned allowing these on the interstate system.

LEANN said no they wouldn't be able to because of the clearance in underpasses and such.

DOYLE SCHULZ, North Dakota Highway Patrol, also testified in opposition to HB 1468 on a specific note.. He said that the intent was to extend the load to 14 feet but the bill said that it extended the equipment instead.

CHAIRMAN KEISER CLOSED THE HEARING ON HB 1468.

February 5, 1999

COMMITTEE ACTION

REP. LEMIEUX introduced an amendment to HB 1468. (See attached amendment). The committee voted unanimously to accept the amendment.

REP. LEMIEUX moved a DO PASS AS AMENDED on HB 1468. REP. KEMPENICH seconded the motion. The motion carried.

ROLL CALL - 13 YEA, 0 NAE, 2 ABSENT AND NOT VOTING.

FLOOR ASSIGNMENT - REP. LEMIEUX

90469.0201
Title.0300

Prepared by the Legislative Council staff for
Representative Lemieux
February 5, 1999

VR
2/8/99

HOUSE

AMENDMENTS TO HOUSE BILL NO. 1468

HTRN 2/8/99

Page 2, line 21, after "equipment" insert "or load"

Renumber accordingly

Date: ~~0000~~ 2/5
Roll Call Vote #: 1

1999 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. ~~1468~~ 1468

House Transportation Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken adopt am

Motion Made By Rep Lemieux 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) 13 No 0

Absent 2

Floor Assignment _____

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

2-11.3

Date: 215
Roll Call Vote #: 2

1999 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1468

House Transportation Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken Do pass as amended

Motion Made By Rep Kempenich Seconded By Rep Lemieux

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) 8 No 4

Absent 23

Floor Assignment Rep Lemieux

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

1999 SENATE TRANSPORTATION

HB 1468

1999 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1468

Senate Transportation Committee

Conference Committee

Hearing Date March 5, 1999

Tape Number	Side A	Side B	Meter #
1		x	5130-End
2	x		1-770
March 11, 1999		x	3,091-3690
Committee Clerk Signature <i>Devi D. Schaeffer</i>			

Minutes:

SENATOR B. STENEHJEM opened the hearing on HB 1468. Committee members present included: Sens. Bob Stenehjem, R. Schobinger, D. Mutch, D. Cook, D. O'Connell, V. Thompson, and D. Bercier.

REPRESENTATIVE DOUG LEMIEUX, DISTRICT 9 testified in favor of HB 1468. This bill extends the length on truck mounted stack movers. The bill also limits the width if the length is extended to 65 feet. Some people feel that it would be safer to move hay if the mover was longer and not as wide. Right now at 56 feet there is no width limitation. The engrossed version allows 56 feet but at 65 feet you must maintain a 14 foot width.

SENATOR COOK Shouldn't there be a width limitation for 56 foot long truck?

REPRESENTATIVE LEMIEUX If they are three wide and six foot bales, it is a minimum of 18 feet wide. They can be up to 20 feet wide sometimes. There has been some concern that length would get excessively long. The design of the truck should be safer.

SENATOR B. STENEHJEM The restrictions doesn't mean that there won't be a tractor cab of a different design and a trailer of a different design. Those differences may not be safe.

REPRESENTATIVE LEMIEUX This is a truck mounted stack mover. Senator Cook pointed out that narrowing up the load will make it safer. I contend that when you are in the business you design the equipment for the job and to the best of your capability.

RAY ZINK, DEPUTY DIRECTOR FOR ENGINEERING FOR DOT testified in opposition of HB 1468. This design is not legal in any surrounding states. It is used in a very limited basis in the state of Nebraska. A concern in Nebraska is the maximum width is 18 feet. We raise questions on whether this becomes a vehicle of husbandry. Under present law, there is no width and hay stack movers are defined under law as vehicles of husbandry. There is no need for this unit in ND. We are concerned with the overhang of the back when they turn.

SENATOR B. STENEHJEM Currently, what would be the maximum width?

RAY ZINK Under current law, they can't be longer than 65 feet but there is no width limitations because they are vehicles of husbandry.

SENATOR B. STENEHJEM If they can go to a longer length they are willing to give up the width in this bill.

RAY ZINK Yes. This bill does limit the length to 14 feet. It gets to be tough when you start measuring hay bales.

HOWARD LEMIEUX As a farmer, the width hauling bales 3 at a time is very difficult. I'm not sure one could handle a 65 foot truck.

SENATOR B. STENEHJEM What's the normal semi-trailer length?

RAY ZINK 75-80 foot range.

SENATOR B. STENEHJEM Could this be a one unit?

RAY ZINK It would be a single unit.

SENATOR B. STENEHJEM We will close HB 1468.

March 11, 1999 - Tape 2

SENATOR SCHOBINGER I motion for a Do Not Pass.

SENATOR COOK I second.

SENATOR B. STENEHJEM I have no doubt that this truck can operate but the next truck with different configurations may handle differently. It is an awful long single unit.

SENATOR BERCIER Ray Zink said it's not legal in ND. I have a hard time envisioning a 65 foot piece of equipment.

SENATOR B. STENEHJEM I thought we would have a tractor unit with a pivot but it is not. It is all one solid unit.

SENATOR O'CONNELL I don't have any trouble with it because of the license for doubles and triples, but there is no pivot.

The roll call was taken (6 Yeas, 1 Nay and 0 Absent and Not Voting).

Senator Schobinger will carry HB 1468.

Date: 3-11-99

Roll Call Vote #: 1

1999 SENATE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. HB 1468

Senate Transportation Committee

Subcommittee on

or

Conference Committee

Legislative Council Amendment Number

Action Taken Do Not Pass

Motion Made By Sen. Schobinger Seconded By Sen. Cook

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) 6 No 1

Absent 0

Floor Assignment Senator Schobinger

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

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

Module No: SR-45-4667
Carrier: Schobinger
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1468, as engrossed: Transportation Committee (Sen. B. Stenehjem, Chairman)
recommends **DO NOT PASS** (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING).
Engrossed HB 1468 was placed on the Fourteenth order on the calendar.

1999 TESTIMONY

HB 1468



North Dakota Department of Transportation

608 East Boulevard Avenue • Bismarck, ND 58505-0700

Edward T. Schafer, Governor
Marshall W. Moore, Director

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February 4, 1999

The Honorable George Keiser
Representative, District 47
House Transportation Committee Chairman
600 East Boulevard Avenue
Bismarck, ND 58505

Dear Mr. Keiser:

Subject: House Bill 1468

I listened, with interest, when the House Transportation Committee was considering action on House Bill 1468.

It is my judgement that the committee believed North Dakota should allow 65 feet on haystack movers since both South Dakota and Montana allow this length. I have checked on this, and neither South Dakota nor Montana allows 65 feet. Present law allows 60 feet in South Dakota and 55 feet in Montana.

I suspect that the manufacturers want to get 65 feet in North Dakota and asked for this length in Montana and South Dakota "since North Dakota has allowed 65 feet."

If you have any questions on this matter, please call me at 328-2584 or LeAnn of the Highway Patrol at 328-4341.

Sincerely,

A handwritten signature in black ink that reads "Ray Zink".

Ray Zink
Deputy Director for Engineering Policy

01/lmm

c: LeAnn Wald, Highway Patrol

HB 1468

65' truck-mounted haystack movers

The following information was compiled to answer further questions regarding HB 1468. Please note below what other states allow relative to the size of truck-mounted haystack movers.

		<u>Empty</u>	<u>Loaded</u>
Montana:	Width:	20'	20'
	Length:	55'	55'

Distance traveled cannot exceed 75 miles. Speed limit cannot exceed 35.

		<u>Empty</u>	<u>Loaded</u>
South Dakota:	Width:	17'	20'
	Length:	60'	60'

Vehicles are loaded 3 bales wide, 6 bales long, 2 bales high. Generally a load consist of 28 bales.

		<u>Empty</u>	<u>Loaded</u>
Nebraska:	Width:	18'	18'
	Length:	65'	65'

The county sheriff issues permits for truck-mounted haystack movers. They issue very few permits. This type of equipment in not used a lot in Nebraska. Most hay hauled on truck-tractor semi-trailer combinations. They were unable to provide very little information regarding load movements with this type of equipment.

		<u>Empty</u>	<u>Loaded</u>
Minnesota:	Width:	Exempt	Exempt
	Length:	40'	40'

Minnesota recognizes this vehicle as an implement of husbandry. Truck-mounted haystack movers can only be used by farmers within 75 miles of their farm. This vehicle cannot be used to haul hay commercially.