

**1999 SENATE TRANSPORTATION**

**SB 2343**

1999 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB2343

Senate Transportation Committee

Conference Committee

Hearing Date January 28, 1999

Tape Number	Side A	Side B	Meter #
1	x		1,850-2781
2	x		4,297
Committee Clerk Signature <i>Doni A. Schaffbauer</i>			

Minutes:

SENATOR B. STENEHJEM opened the hearing on SB 2343. Committee members present included: Sens. Bob Stenehjem, R. Schobinger, D. Mutch, D. Cook, D. O'Connell, V.

Thompson, and D. Bercier.

SENATOR W. STENEHJEM I want to testify in support of SB 2343. For the last year, I've served on a subcommittee called the Substance Abuse and Traffic Safety Council. There has been reported increases with citizens who don't pull over for an ambulance as required by law. They asked to come up with a legislative approach; we came up with SB 2343. This bill will raise the fee for failure to pull over from the current fee of \$20.00 to \$50.00. Also, it would adopt the section of law from the statute regarding failure to stop for a school bus. The reason for this is very often vehicles are on their way to an emergency and they are not able to stop and arrest the person who does not pull over. They request that they have the authority to take down

the license plate number of the vehicle and charge the owner of that vehicle a violation unless that person is able to show that someone else was driving a vehicle. This is a problem. People are driving and may not be paying attention to these emergency vehicles.

SENATOR O'CONNELL I used to drive ambulance and the only way we could have any help from law enforcement is if we could identify the driver himself. So now this would charge the driver whether one could identify them or not.

SENATOR W. STENEHJEM That's right, and it will give the owner of the vehicle some responsibility in lending their car. That is what we do with the school bus violation.

SENATOR SCHOBINGER Who gets the \$50.00 if someone else was driving the car?

SENATOR W. STENEHJEM The person driving gets the fine.

SENATOR COOK What if it's the driver's word against the owners?

SENATOR W. STENEHJEM Then the driver needs proof.

SENATOR B. STENEHJEM The problem I have is the \$50.00. I understand the intent but the fee is a little steep. School buses don't come up behind you at a high speed. Isn't it possible that the driver just didn't realize it?

SENATOR W. STENEHJEM I have no objection to changing the fee. It should be more than \$20.00 however.

SENATOR COOK If I'm going over Memorial bridge and an ambulance comes up behind me, am I supposed to stop?

SENATOR W. STENEHJEM You should get across the bridge and then pull over. It's a pretty narrow bridge. The drivers of ambulances and other emergency vehicles understand special circumstances.

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Senate Transportation Committee

Bill/Resolution Number Sb 2343

Hearing Date January 28, 1999

SENATOR B. STENEHJEM We will close the hearing on SB 2343.

There was committee discussion held on SB 2343.

SENATOR COOK I move for a DO PASS.

SENATOR THOMPSON I second that motion.

The roll call vote was taken (7 Yeas, 0 Nays and 0 Absent and Not Voting).

SENATOR B. STENEHJEM I will carry SB 2343.

Date: January 28, 1999  
Roll Call Vote #: /

**1999 SENATE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. 2343**

Senate Transportation Committee

Subcommittee on \_\_\_\_\_  
or  
 Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Do Pass

Motion Made By Sen. Cook Seconded By Sen. Thompson

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) 7 No 0

Absent 0

Floor Assignment Senator B. Stenehjem

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

REPORT OF STANDING COMMITTEE (410)  
January 29, 1999 1:59 p.m.

Module No: SR-19-1507  
Carrier: B. Stenehjem  
Insert LC: . Title: .

**REPORT OF STANDING COMMITTEE**

SB 2343: Transportation Committee (Sen. B. Stenehjem, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2343 was placed on the Eleventh order on the calendar.

1999 HOUSE TRANSPORTATION

SB 2343

1999 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 2343

House Transportation Committee

Conference Committee

Hearing Date February 25, 1999

Tape Number	Side A	Side B	Meter #
1		x	0-20.0
1(3/4/99)		x	7.0-10.0
Committee Clerk Signature <i>Jensen</i>			

Minutes:

CHAIRMAN KEISER OPENED THE HEARING ON SB 2343; A BILL RELATING TO THE PRESUMPTION OF OWNER VIOLATION FOR FAILING TO YIELD RIGHT OF WAY TO AN EMERGENCY VEHICLE; AND RELATING TO THE FEES FOR NONCRIMINAL TRAFFIC VIOLATIONS.

SENATOR WAYNE STENEHJEM, Dist. 42, introduced SB 2343. He noted that the bill is the result of a problem in Grand Forks where people are not pulling over for emergency vehicles.

This bill proposes a change in the fine from \$20 to \$50.

REP. KEMPENICH asked who makes the determination if someone needs to pull over.

SEN. STENEHJEM said that drivers need to use their discretion on when and where to pull over.

Common sense is primary.

REP. JENSEN asked if this is an erosion of individual rights.



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House Transportation Committee

Bill/Resolution Number Sb 2343

Hearing Date February 25, 1999

SEN. STENEHJEM said no. Pulling over to let the emergency vehicles pass is customary. If it is a problem, people have a right to their day in court.

JERRY VEHEN, Grand Forks Fire Marshall, testified in support of SB 2343. He noted that there has always been a problem with people not pulling over. The law itself is not put to use that often, but when it is some people still do not pull over.

REP. MICKELSON asked what emergency vehicle is defined as in the Code.

JERRY said Class A emergency vehicles only are regarded here. Those that have the red and blue rotating lights.

REP. KEMPENICH made note of driving trucks and that emergency vehicles often sneak into the blind spot. He thought that maybe education needs to be the primary thing here.

REP. THORPE said he has seen this in Grand Forks and noted that it is a similar problem across the state. Why does it take a rise in the fines to curve this?

JERRY agreed with Rep. Thorpe and said it should not take this but unfortunately they feel the need to do something.

REP. SCHMIDT mentioned that a bus can call someone in who doesn't yield the right of way.

Can't ambulances do the same?

JERRY said yes.

REP. WEISZ questioned the number of ambulances involved in accidents in the last year? How many of them involved fatalities?

JERRY was unsure.

March 4, 1999

COMMITTEE WORK

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House Transportation Committee

Bill/Resolution Number Sb 2343

Hearing Date February 25, 1999

REP. JENSEN moved a DO PASS on SB 2343. REP. LEMIEUX seconded the motion. The motion carried.

ROLL CALL - 8 YEA, 4 NAE, 3 ABSENT AND NOT VOTING.

FLOOR ASSIGNMENT - REP. PRICE

Date: ~~2/26~~ 3/4  
 Roll Call Vote #: 1

1999 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
 BILL/RESOLUTION NO. 2343

House Transportation Committee

Subcommittee on \_\_\_\_\_  
 or  
 Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken DO NOT PASS

Motion Made By REP WEISZ Seconded By REP THORPE

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) 5 No 7

Absent 3

Floor Assignment \_\_\_\_\_

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

Date: 3/4  
 Roll Call Vote #: 2

**1999 HOUSE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. 2343**

House Transportation Committee

Subcommittee on \_\_\_\_\_  
 or  
 Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken PO PASS

Motion Made By Rep Jensen 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 3

Floor Assignment Rep Price

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

**REPORT OF STANDING COMMITTEE (410)**  
March 4, 1999 11:24 a.m.

**Module No: HR-39-4017**  
**Carrier: Price**  
**Insert LC: . Title: .**

**REPORT OF STANDING COMMITTEE**

**SB 2343: Transportation Committee (Rep. Keiser, Chairman) recommends DO PASS**  
(8 YEAS, 4 NAYS, 3 ABSENT AND NOT VOTING). SB 2343 was placed on the  
Fourteenth order on the calendar.