

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION  
SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1245

2001 HOUSE TRANSPORTATION

HB 1245

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1245

House Transportation Committee

Conference Committee

Hearing Date January 25, 2001

| Tape Number                                     | Side A | Side B | Meter # |
|---|--------|--------|---------|
| 1   |        | x      | 4,065   |
|   |        |        |         |
|   |        |        |         |
| Committee Clerk Signature <i>Lauren L. Fink</i> |        |        |         |

Minutes: Rep. Weisz - Chairman opened the hearing on HB 1245: A BILL for an Act to amend and reenact subsection 1 of section 39-06-14 of the North Dakota Century Code, relating to an operator's license.

Rep. Ekre: District 25 - This bill was introduced at the request of a number of people in my district who are young working women, young people, snowbirds and a number of others who are worried about their social security number is so readily available on their driver's license.

When cashing checks many businesses in our area and the snowbirds tell me that they do so in Arizona and Florida, that is they ask for your drivers license and write down the number. On our North Dakota drivers license that number is your social security number. I've told them that they can request another from North Dakota and some of them have. However, they ask why doesn't North Dakota go to a different system. The makes us all less vulnerable and that is what I am here to ask. In today's information age with computer know how you can find a lot about someone with their social security number. I hope that some kind of agreement can come from

this bill. There is no lobbyist behind this. There is no one paid working on it. There is nobody else working on this because I want learn the system better. I do know that under Federal law you must have the social security number on there somewhere. On the back of your license you will see there is a magnetic strip. I believe the federal law requires the social security number to trace deadbeat dads. It is a privacy type thing.

Kelth Magnusson: Once again I am Director of Drivers and Vehicle services. We are neutral on this bill. It is one that is really hard to figure out what we should do. Because there is a lot of things, especially when things come up on '60 Minutes', or 'Date Line'; --we get calls and people want us to put another number on their drivers license which we allow now. A bit of history, back in the 70's Congress did authorize the states to use the social security numbers. Some states did change their systems to use social security numbers; others did not. We are hoping that Congress will come out with a solution. There are federal mandates that we have to have this ( the social security number ) on the application. We have to collect it. We do have people tell us they want the social security number on their license. They say don't change it. We want it. Probably 10 - 15% ask for a different number. It is also very convenient like in North Dakota there are a fair number of people who have the same first name, same last name and same middle initial and sometimes the same birth dates. Tickets ( traffic ) start coming in -- how do you sort that out? There are a couple of sides to this issue. If this bill goes through there is not a great fiscal effect because under this bill we could phase this in over a four year period as we issue new licenses. We would have to go to a new numbering system. Now if someone doesn't want to use their social security number we would have to go to what we call a 999 system. The same number of numbers as in your social security number. But there is a problem with that

because we could have two operators hit the computer buttons at the same time and generate duplicates of the same number. If we had too many duplicates then we have defeated the purpose of trying to identify individuals. Going back a bit you were stating that the social security number is being used for too many things. If you will recall the drivers license was supposed to be used only for determining driving privileges. Now it is being used for an universal identifier.

Rep. Weisz - Chairman ( 4927 ) The feds do not require that the social security number appear to appear somewhere on the drivers license, correct?

Keith Magnusson: That is correct.

Rep. Thorpe: ( 4978 ) The bar code on the back, is that our social security number?

Keith Magnusson: The bar code has your social security number or the number you selected.

Rep. Ruby: ( 5122 ) Are you saying that you are in favor of the bill if, a new number would be used unless the driver asked for their social security number be used?

Keith Magnusson: No because I think that would be chaos. We would have to go to a new numbering system. If I had my druthers, I would rather wait another two years to see if congress will resolve this issue.

There being no other persons wishing to appear either for or against HB 1245, Rep. Weisz - Chairman closed the hearing for receiving any further testimony. ( 5331 ).

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1245 B

House Transportation Committee

Conference Committee

Hearing Date February 1, 01

| Tape Number                                     | Side A | Side B | Meter # |
|---|--------|--------|---------|
| 2   | X      |        | 4,054   |
|   |        |        |         |
| Committee Clerk Signature <i>Laurie L. Ford</i> |        |        |         |

Minutes: Rep. Weisz - Chairman, in work session, opened the discussion on HB 1245 and for action.

Following discussion, Rep. Dosch, move a 'Do Not Pass' for HB 1245.

Rep. Price: I second the motion.

On a roll call vote the motion carried: 7 yeas 6 nays 1 absent.

Rep. Carlson was designated to carry HB 1245 on the floor.

Discussion and action ceased. ( 4905 )

Date: 2-01-'01  
Roll Call Vote #:

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. HB 1245

House Transportation Committee

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

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

Action Taken Do Not Pass

Motion Made By Rep. Dosch Seconded By Rep. Price

| Representatives              | Yes | No | Representatives | Yes | No |
|------------------------------|-----|----|-----------------|-----|----|
| Robin Weisz - Chairman       | ✓   |    | Howard Grumbo   |     | ✓  |
| Chet Pollert - Vice Chairman |     | ✓  | John Mahoney    | ✓   |    |
| Al Carlson                   | ✓   |    | Arlo E. Schmidt |     | ✓  |
| Mark A. Dosch                | ✓   |    | Elwood Thorpe   |     | ✓  |
| Kathy Hawken                 |     | ✓  |                 |     |    |
| Roxanne Jensen               | ✓   |    |                 |     |    |
| RaeAnn G. Kelsch             | ✓   |    |                 |     |    |
| Clara Sue Price              | ✓   |    |                 |     |    |
| Dan Ruby                     |     | ✓  |                 |     |    |
| Laurel Thoreson              | A   |    |                 |     |    |
|                              |     |    |                 |     |    |
|                              |     |    |                 |     |    |
|                              |     |    |                 |     |    |
|                              |     |    |                 |     |    |

Total (Yes) 7 No 6

Absent 1

Floor Assignment Rep. Carlson

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

**REPORT OF STANDING COMMITTEE (410)**  
**February 2, 2001 7:33 a.m.**

**Module No: HR-19-2172**  
**Carrier: Carlson**  
**Insert LC: . Title: .**

**REPORT OF STANDING COMMITTEE**

**HB 1245: Transportation Committee (Rep. Weisz, Chairman) recommends DO NOT PASS**  
**(7 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING). HB 1245 was placed on the**  
**Eleventh order on the calendar.**

2001 SENATE TRANSPORTATION

HB 1245

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1245

Senate Transportation Committee

Conference Committee

Hearing Date 3-15-01;3-16-01

| Tape Number | Side A | Side B | Meter #   |
|-------------|--------|--------|-----------|
| 1           |        | x      | 18.6-32.6 |
| 2           | x      |        | 15.5-18.6 |
| 3-16 1      | x      |        | 53.1- End |
| 3-16 1      |        | x      | 0.0-1.0   |

Committee Clerk Signature

*Suzette Schaber*

Minutes: **HB 1245** relates to an operator's license number.

**Rep. Bruce Eckre:** (District 25; Supports) See attached testimony.

**Senator Stenehjem:** Do you have a problem with having an "opt-in"?

**Bruce Eckre:** No problem. If the committee would like an "opt-in" feature, that would be fine.

**Keith Magnusson:** (Director of Driver and Vehicle Services; Neutral) I think something is going to happen nationally. Congress is going to prohibit the use of Social Security number on the face of the license. We are trying to look at the whole issue of privacy. Unfortunately most of the information does not come from drivers licenses. Relating to Senator Stenehjem's question about the opt-in feature; I think Congress is going to mandate this by the end of the year anyway. I do have an amendment drafted for that if you want it. There is no fiscal note. If we were to do this, it would be a 999 number. This would cost an estimated \$5,000-\$15,000. If we would give them a choice of the social security number or 999 number, it would triple the effect. Our Drivers License Division has asked if they would wait until January 1, 2002 so as to not clash with the

busy season. The commercial driver's licenses are separate and mandates (though not a federal mandate) for social security numbers to be on the front of licenses. We can do this but we would have to change the law. We have a problem though. Our whole federal system is set up to key off social security number. Until we could rewrite the system, the social security system would have to still be used. We could amend the law for this. Not many states have social security number on front of licenses anymore. But many of the states are still using the social security number on the front of commercial licenses because of the federal system.

**Senator O'Connell:** I thought there was a federal law for the magnetic strip on license requiring social security number for deadbeat dads.

**Keith Magnusson:** We collect the social security number for child support. We do not have to put it on the license though.

**Senator O'Connell:** When cross-checking, how long would it take before social security numbers are complete? Are you going back into all files to put on the new numbers?

**Keith Magnusson:** I hope not. The bill says if we "issue", that means if we renew or give out new licenses. Over 4 years it would take care of all that. It's not a big fiscal impact at all.

**Senator O'Connell:** The Highway Patrol is gearing up with computers in the car. Would this enable them to issue tickets in their car?

**Keith Magnusson:** That is what the bar code is for on the back of license. It would allow them to pull up information on the screen without having to call in. Also to generate tickets, crash reports, etc.

Hearing closed.

Committee reopened on 3-15-01.

Discussion held. Amendment is going to be drafted.

Page 3  
Senate Transportation Committee  
Bill/Resolution Number HB 1245  
Hearing Date 3-15;3-16

Committee closed.

Committee reopened on 3-16-01.

Senator Trenbeath moves to adopt the amendment. Seconded by Senator Espegard. Voice vote shows all present are in favor. Senator Trenbeath motions to Do Pass as amended. Seconded by Senator Mutch. Roll call taken. 5-0-1. Floor carrier is Senator Trenbeath.

Committee closed.

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1245

Page 1, line 2, after "number" insert "; and to provide an effective date"

Page 1, line 14, after "number" insert "unless specifically requested by an applicant"

Page 2, after line 5, insert:

**"SECTION 2. EFFECTIVE DATE - IMPLEMENTATION.** This Act becomes effective on January 1, 2002, and the director of the department of transportation shall implement this Act through regular license issuance, renewal, and replacement procedures."

Renumber accordingly





**REPORT OF STANDING COMMITTEE**

**HB 1245: Transportation Committee (Sen. Stenehjem, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1245 was placed on the Sixth order on the calendar.**

Page 1, line 2, after "number" insert "; and to provide an effective date"

Page 1, line 14, after "number" insert "unless specifically requested by an applicant"

Page 2, after line 5, insert:

**"SECTION 2. EFFECTIVE DATE - IMPLEMENTATION.** This Act becomes effective on January 1, 2002, and the director of the department of transportation shall implement this Act through regular license issuance, renewal, and replacement procedures."

Renumber accordingly

2001 HOUSE TRANSPORTATION

CONFERENCE COMMITTEE

HB 1245

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1245 - Conference

House Transportation Committee

X Conference Committee

Hearing Date April 3, 2001

| Tape Number                                     | Side A | Side B | Meter # |
|---|--------|--------|---------|
| 1   | x      |        | 4       |
|   |        |        |         |
|   |        |        |         |
| Committee Clerk Signature <i>Lauren L. Fink</i> |        |        |         |

Conference Committee Minutes:

Conference Committee:     Rep. Pollert - Chairman     Sen. Stenehjem  
                                   Rep. Dosch                     Sen. Trenbeath  
                                   Rep. Thorpe                     Sen. O'Connell

Chairman Pollert opened the conference committee meeting with the roll call. All present.

Sen. Trenbeath explained the senate amendments. Basically the first was to offer an individual the opportunity to have a social security number on the license if he so desired. The second was at the request of the DOT was postpone the effective date so that they could get geared up for it -- to get them through the 'hectic' season in the summer when all the kids are getting one. The amendment having to do with the 'unless specifically requested' was the result of testimony that -- that some people especially those who spend their winters elsewhere than here like to have their social security numbers on their drivers license because they use it a lot more. The way the la

Was the social security number was the primary number and person could request a new number; what this does just reverses that so they can request to have their social security number.

Rep. Pollert-Chairman: Is it your idea then that this would be an assigned number or a random number that the DOT would dish out?

Sen. Trenbeath: Frankly I don't think we expressed an opinion either way -- it would be the way they determined it. The primary number as we see it will be the way the DOT develops it.

Rep. Pollert - Chairman: It is your intent then that the DOT would have assigned numbers? --- by that I mean you don't intend that the citizen would have the option to request his own designed number?

Sen. Trenbeath: Yes. I think it would have to be sequence of number created by the DOT not by the individual.

Sen. Stenehjem: Normally the DOT doesn't want to be overly strapped trying to keep track of a lot of weird numbers and they don't want to be overly regulated -- it was our intention to leave it up to them to do it the most efficient and economical way.

Rep. Pollert - Chairman: I had intended that Mr. Magnusson would come in and talk about the fiscal note but he doesn't appear to be here. There really isn't a fiscal note on the bill but to talk about the fiscal cost of it.

Rep. Doseh: On line 6 you make reference to that \$10 licensing fee. Wouldn't that possibly be changed in the revenue bills.

Sen. Stenehjem: Possibly but anything we do throughout the session is automatically adjust after the session ends to make everything compatible.

Rep. Eckre: Chairman Pollert asked Rep. Eckre who was present in the room to comment on the amendments. I am a prime sponsor on this bill. I talked to other sponsors on the bill and non had any problem with the senate amendments. I then called home to some of the people who had initially talked to me about getting this legislation and they thought it was a good idea. And they liked the idea that they didn't have to ask the state to protect their privacy.

Sen. Stenehjem: Here's how we came about it in the senate - some people wanted and some didn't and no matter what we do there will be some people mad. Some will want their social security number on there, if they want it let them .But for the rest of us let not put us in an opt-out situation to get it off there. As for the cost they came up with \$10 -15,000. But that was for some kind of 999 number system.

Rep. Pollert - Chairman: I read the testimony and I got the same info from it and then I read it 3 or 4 times wondering what they really did say . That was one of the reasons I was going to have Mr. Magnusson come down because when I read the senate testimony it seemed different.

Sen. Stenehjem: They will do it the most economical way.

Rep. Pollert - Chairman: Mr. Magnusson is here now if you have any questions for him.

Sen. Trenbeath: Your estimate of \$10 - 15,000 hasn't changed has it.

Keith Magnusson: No, Senator that hasn't changed. The was for the way the program came out of the House and later on that was changed to \$5,000 and then it was \$5 - 15,000 --so that hasn't changed. To change from this to a 999 number or what it is a change would cost about that because you can't get much computer programming for less than that.

Sen. Stenehjem: I would hope that in their infinite wisdom the DOT may find the most economical way to move to put the 999 number on there. Why would you have to change

anything to put your social security number on there because it is already there. I see this as a resistance to do what this bill intends. I can do the today and every time I do it if it is in between the issuance of license I have to pay for it to get a duplicate license so there is income in there too.

Keith Magnusson: Mr. Chairman it is do - able I am just going by what IT is telling us it is going to cost us. There is some cost in this but whatever the legislature tell us to do we do it.

Rep. Pollert - Chairman: I understand what you are saying and believe that you don't want to waste any money on this but I have a hard time believing that Congress is going to be doing anything in the next two years. We could address that in the next legislative session if it is an issue.

Keith Magnusson: If Congress acts we probably won't be doing anything because it will become a federal number.

Rep. Pollert - Chairman: This may sound repetitive but I want to know that they way this came over from the senate, can a person under this come in and get a random number.

Keith Magnusson: Yes the way the bill is written still allows us to issue a distinguishing number. It is our intent not to let them pick a number unless it is their social security number otherwise it is going to be a 999 number.

Sen. Stenehjem: That is fine.

Rep. Pollert - Chairman: OK

Keith Magnusson: We will be discouraging them from picking their date of birth -- it just creates a lot of confusion for everybody. But the 999 has an infinite number of possibilities and will provide for the same number of digits as the present social security number. It is a lot more

economical than a random number of digits.

Rep. Pollert - Chairman: So then that is a sequence so the Sen. Stenehjem and I come in together he gets the next number in the sequence next to mine?

Keith Magnusson: What that will be is in the computer system all across the state will be hooked up to and the chances of the happening are not likely but you or he would never know what the computer assigned to each of you.

Sen. O'Connell: The doesn't have anything to do with the bill but when you go off site is there an additional charge to the \$10?

Keith Magnusson: No that is a uniform fee. This is different from the motor vehicle registration which is privatized and they are allowed to add a surcharge.

Rep. Doseh: Actually there may be some cost savings?

Keith Magnusson: That could very well happen because errors do happen when people key in and transpose number. Then we have look for them. With the computer assigns the numbers hopefully that will be reduced.

Rep. Thorpe: I move the House accedes to the Senate amendments.

Sen. O'Connell: I second that motion.

On a roll call vote the motion carried unanimously.

Ended at (1824 ).



Insert LC: .

**REPORT OF CONFERENCE COMMITTEE**

**HB 1245:** Your conference committee (Sens. Stonehjem, Tronboath, O'Connell and Reps. Pollert, Dosch, Thorpe) recommends that the **HOUSE ACCEDE** to the Senate amendments on HJ page 1025 and place HB 1245 on the Seventh order.

HB 1245 was placed on the Seventh order of business on the calendar.

2001 TESTIMONY

HB 1245

**HOUSE BILL 1245**  
**SENATE TRANSPORTATION COMMITTEE**  
**REPRESENTATIVE BRUCE ECKRE**  
**MARCH 14, 2001**

Chairman Stenehjem and Members of the Senate Transportation Committee, I am Representative Bruce Eckre, from Wahpeton, which is in District 25.

This bill (1245) is from constituent requests. Many elderly residents of my district have complained to me that when cashing checks out of town (snowbirds) the clerk asks to see their drivers' license, and then writes down their Social Security number. I have told them that they can request another number, but they say "Why should we have to ask North Dakota to look out for us, they should go to another system of numbers."

In today's info-age, with a little computer know how, you can find out a lot about somebody with their Social Security number. When you give out your number, you are providing access to information about yourself. The Social Security Administration does not issue a new number if someone steals yours - you have it for life!

Readers Digest did a story in the May 1996 issue on the horror that can result when your number is stolen.

Bottom line on this bill:

1. No fiscal note.
2. The system is all ready set-up to go at Motor Vehicle.
3. Helps protect the privacy of North Dakotans. A North Dakotan shouldn't have to ask to have our rights protected. The burden should not be on the citizens.
4. Federal legislation? Why wait for Feds? It might not ever come!

Thank you.