

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1452

2001 HOUSE TRANSPORTATION

HB 1452

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1452

House Transportation Committee

Conference Committee

Hearing Date February 2, 2001

Tape Number	Side A	Side B	Meter #
1	X		4,031
Committee Clerk Signature <i>Lauren B. Zink</i>			

Minutes: Rep. Weisz - Chairman opened the hearing on HB 1452; A BILL for an Act to create and enact a new section to chapter 39-21 of the North Dakota Century Code, relating to experimental vehicles.

Rep. Grosz: For the record I represent District 42, Grand Forks. The University of North Dakota engineering students for several years and this NDSU engineering students are entering their designed and built solar powered cars in national competition. The cross country race will be this summer from Chicago to California. The cars are need to be road tested and driver to prove their road worthiness. Usually the highway patrol has the duty of certifying home build vehicles and experimental vehicles but the way our statutes read they can not begin to certify our solar cars. The reason being some of the details included in the statutes address hood latches (a safety concern) and of course solar cars do not have combustion engines therefore no hoods. The hoods are the solar cell panels. The are many others examples of things like that. Yet there are no safety short cuts on brakes, controls, lights, turn signals and the like. The purpose of this bill is to

provide for exceptions limited specifically to solar vehicles so that we can actually road test them. We have 25 students members of the race team here from UND. They have drawings, rendering, and specifications with them for you to look at and to ask questions. Most of them are engineering students in the various fields of engineering. I believe that they will be able to answer your technical questions. We also have members of the NDSU engineering team here. They will also address their progress and participation. The drawings and renderings were taken back with the teams; however, the competition contest rules specifying the structural, safety, and other features of the of the solar vehicles is attached.

Committee members showed a great interest in the vehicles and the competition asking questions regarding blinkers, rear view mirrors, highway speeds, economies, chemical versus electrical power efficiencies, lead and chase vehicles, etc.

At the recommendation of Rep. Grosz, the committee amended HB 1452 to provide for an emergency clause. The basis for the emergency clause was to allow both schools to road test their vehicles currently under construction; to provide for High Patrol inspection and to allow time for modifications prior to these summers race competition.

There was no opposition testimony.

Rep. Carlson: (5746) I move the amendment to HB 1452.

Rep. Kelsch: I second the motion for the amendment.

On a voice vote the amendment was approved.

Rep. Carlson: (5818) I move a 'Do Pass as amended' for HB 1452.

Rep. Kelsch: I second that motion.

On a roll call vote the motion carried unanimously: 12 yeas 0 nays 2 absent.

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House Transportation Committee

Bill/Resolution Number H.R. 1452

Hearing Date February 2, 2001

Rep. Ruby was designated the carry H.R. 1452 on the floor. (5764)

FISCAL NOTE
 Requested by Legislative Council
 03/12/2001

Bill/Resolution No.:

Amendment to: Engrossed
 HB 1452

1A. State fiscal effect: *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	1999-2001 Biennium		2001-2003 Biennium		2003-2005 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures						
Appropriations						

1B. County, city, and school district fiscal effect: *Identify the fiscal effect on the appropriate political subdivision.*

1999-2001 Biennium			2001-2003 Biennium			2003-2005 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

2. Narrative: *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

The fiscal impact of this bill would be less than \$5,000 per biennium.

3. State fiscal effect detail: *For information shown under state fiscal effect in 1A, please:*

A. Revenues: *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

B. Expenditures: *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

C. Appropriations: *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.*

Name:	Keith Kiser	Agency:	NDDOT
Phone Number:	328-2725	Date Prepared:	03/12/2001

10624.0101
Title.0200

Prepared by the Legislative Council staff for *VR* 2/7/01,
Representative Grosz
January 23, 2001

House Amendments To HB 1452 House Trn 2-07-01

Page 1, line 2, after "vehicles" Insert "; and to declare an emergency"

Page 1, after line 14, insert:

"SECTION 2. EMERGENCY. This Act is declared to be an emergency
measure."

Renumber accordingly

Date: 2/02/01
Roll Call Vote #:

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1452

House Transportation Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass as Amended

Motion Made By Rep. Carlson Seconded By Rep. Kelsch

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	A	
Kathy Hawken	✓				
Roxanne Jensen	✓				
RaeAnn G. Kelsch	✓				
Clara Sue Price	✓				
Dan Ruby	✓				
Laurel Thoreson	A				

Total (Yes) 12 No 0

Absent 2

Floor Assignment Rep. ~~Ruby~~ Ruby

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

REPORT OF STANDING COMMITTEE (410)
February 7, 2001 10:17 a.m.

Module No: HR-22-2562
Carrier: Ruby
Insert LC: 10624.0101 Title: .0200

REPORT OF STANDING COMMITTEE

HB 1452: Transportation Committee (Rep. Welsz, Chairman) recommends
AMENDMENTS AS FOLLOWS and when so amended, recommends **DO PASS**
(12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1452 was placed on the
Sixth order on the calendar.

Page 1, line 2, after "vehicles" insert "; and to declare an emergency"

Page 1, after line 14, insert:

"SECTION 2. EMERGENCY. This Act is declared to be an emergency
measure."

Renumber accordingly

2001 SENATE TRANSPORTATION

HB 1452

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1452

Senate Transportation Committee

Conference Committee

Hearing Date 3-1-013-8-01

Tape Number	Side A	Side B	Meter #
1	x		29,4-40.7
2	x		1,6-5,6
Committee Clerk Signature <i>Suzette Schief</i>			

Minutes: **HB 1452** relates to experimental vehicles.

Rep. Michael Grosz: (District 42; Supports) See attached handouts. Solar cars do not meet criteria to become a registered vehicle. If it can't be a registered vehicle, then it can not get insurance or practice on our roadways. I'd like to see exceptions made for experimental vehicles.

Senator Trenbeath: The last sentence in the bill is unconstitutional. That needs to be looked at.

Keith Magnusson: (Director of Driver Vehicle Services; Neutral) What we do before we register a vehicle is refer them to the Highway Patrol to see if vehicle meets safety standards and therefore be able to drive on the road. We will not register them until this happens.

Senator Espegard: What is the real intent of this bill?

Rep. Grosz: Currently, solar cars can not drive on ND roads and they are not able to test or practice. We are planning not to drive on the highways, but rather less traveled county roads.

Senator Trenbeath: How do other states test their solar cars?

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Senate Transportation Committee
Bill/Resolution Number HB 1452
Hearing Date 3-1-01;3-8-01

Rep. Grosz: They take it to a testing site. Last year ND took their solar car to Nevada a week before the races to test on a site there.

Senator O'Connell: What would be wrong with giving the Highway Patrol authority to issue a permit for these vehicles?

Senator Stenehjem: The permit could place restrictions where they need to be placed. For example, they can't drive on highways and only on certain roads.

Col. Jim Hughes:(Superintendent of Highway Patrol; Neutral) HB 1452 is so broad. We can work it out and compromise. A permit could be worked in. We could eliminate the licensing part and possibly put in fees, etc. We will look at this and come back with something everyone will be happy with.

Senator O'Connell: This takes care of the safety issue then too.

Hearing closed.

Committee reopened on 3-8-01.

Rep. Grosz hands out proposed amendments and see attached testimony.

Mark Betke states that he has viewed these amendments and is happy with them.

Senator Espegard motions to adopt the amendments. Seconded by Senator Trenbeath. Roll call taken. 6-0-0. Senator Espegard motions to Do Pass as amended. Seconded by Senator Trenbeath.

Roll Call taken. 6-0-0. Floor carrier is Senator Espegard.

Committee closed.

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1452

Page 1, line 1, remove "section to" and replace "39-21" with "to title 39"

Page 1, line 2, after the semicolon insert "to provide a penalty;"

Page 1, line 4, remove "section to" and replace "39-21" with "to title 39"

Page 1, replace lines 6 through 14 with:

Definitions. As used in this chapter, unless the context otherwise requires:

1. "Chase vehicle" means a motor vehicle that accompanies an experimental vehicle while operating on a highway.
2. "Experimental vehicle" means a vehicle with an unladen weight of six thousand pounds [2721.55 kilograms] or less which may be equipped with any configuration of axles and wheels and which is primarily powered by some source other than a combustion engine, muscle, or an animal.

Applicability. An experimental vehicle is a motor vehicle under this title, except:

1. Chapter 39-22 does not apply to experimental vehicles.
2. Registration of an experimental vehicle is governed by this chapter.
3. The governing body of a political subdivision may regulate, restrict, or prohibit the use of an experimental vehicle operating within the political subdivision's corporate limits in areas under the jurisdiction of the political subdivision.

Experimental vehicle registration - Application - Issuance - Fees - Renewal.

1. An individual may not operate an experimental vehicle unless the vehicle has been registered in accordance with this chapter.
2. The department shall design and furnish an application that must be used to register an experimental vehicle. The registration must state the name and address of every owner of the experimental vehicle and must be signed by at least one owner. A copy of the application is evidence of registration for the first thirty days after the date of application.
3. On receipt of an application and the appropriate fee, the department shall register the experimental vehicle and assign a registration number and a certificate of registration. The certificate of registration must include information regarding name and address of the owner.
4. The fee for registration of an experimental vehicle is fifty dollars for each registration cycle of one year ending on March thirty-first. The department may prorate the initial registration fee. For a duplicate or replacement registration number or registration card that is lost, mutilated, or becomes illegible, the department may charge a fee of not more than five dollars.

5. To renew a registration, the owner of an experimental vehicle shall follow the procedure adopted by the department and pay the registration fee.
6. The department may adopt rules for the registration of experimental vehicles and the display of registration numbers.

Exemption from fees. Payment of fees is not required of an experimental vehicle owned and used by the United States, a state or any of its agencies, institutions, or political subdivisions; an experimental vehicle registered in a foreign country and temporarily used in this state; or an experimental vehicle validly licensed in another state and which has not been in this state for more than thirty consecutive days.

Transfer or termination of experimental vehicle ownership - Change of address of owner. Within fifteen days of a transfer of any ownership interest in an experimental vehicle, other than a security interest, the destruction or abandonment of any experimental vehicle, or a change of address of the owner as listed with the application for registration, written notice of the fact must be given by the last registered owner to the director in the form the director requires.

Rules of operation. A person may not operate an experimental vehicle on a highway without being accompanied by a chase vehicle. The chase vehicle must follow the experimental vehicle at a safe-driving distance.

Equipment. An experimental vehicle must be equipped with a horn, front and rear turn signal lamps, stop lamps, a balanced and coreactive dual-braking system, a windshield, a safety belt installed at each seating position, an exterior mirror mounted on the operator's side of the vehicle, a roll cage that encompasses the entire driver, fresh air intake vents or wheel openings, and either an exterior mirror mounted on the passenger's side of the vehicle or an interior rearview mirror.

Penalty. A violation of this chapter for which there is no penalty in this title is a class B misdemeanor."

Renumber accordingly