

MICROFILM DIVIDER

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



ROLL NUMBER

DESCRIPTION

1346

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Dennis Hall
Operator's Signature

10/3/03
Date

2003 HOUSE TRANSPORTATION

HB 1346

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10/3/03
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1346

House Transportation Committee

Conference Committee

Hearing Date January 30, 2003

Tape Number	Side A	Side B	Meter #
2	x		45.4 to end of side A

Committee Clerk Signature

Lauren L. Ford

Minutes:

Rep. Weisz, Chairman: Opened the Hearing on HB 1346, a bill for an Act to amend and reenact subsection 5 of section 39-04-19 of the North Dakota Century Code, relating to Motor vehicle registration fees for farm vehicles.

Rep. Thoreson: Representing District 44 , Fargo, North Dakota. Rep. Kempenich ask me to fill in for him to introduce HB 1346. I was asked to co-sponsor this bill. As a representative from an urban district, I am no expert on the registration of farm vehicles. I am distributing some written some information prepared by Rep. Kempenich. He makes reference in there about IRS tax form 2290. That concludes my comments. I do support the bill.

There was no one else who appeared in support of HB 1346.

In opposition:

Keith Kyser: Representing the Motor Vehicle Division of the DOT. The DOT does not oppose this bill but has some concerns about it. There are some restriction in it --- as Rep. Thoreson

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House Transportation Committee
Bill/Resolution Number HB 1346
Hearing Date January 30, 2003

stated the bill references IRS form 2290 --- 7500 miles with registered gross weights of 65,000 pounds or more are required to file a 2290 form with an exemption of 7500 miles for farm uses. If you have larger trucks, you are subject to a tax to be paid to the IRS --- as part of our registration process we collect those 2290 forms. That is done in accordance with federal law. This bill as drafted would require us to register only farm trucks which are operated less than 7500 miles. The concern we have is there are many, many farm trucks that are not registered for 55,000 pounds there fore not subject to the 2290 laws --- then we as an agency do we administer the 7500 mile restriction --- if in fact it would not be reported for many of the farm trucks in North Dakota.

Rep. Weisz, Chairman (51.4) If the bill were amended to say only vehicles requiring a 2290 -- would you consider that an exemption?

Keith Kyser: Yes it would.

Rep. Thorpe : There are a lot of large operations that run way our the 55,000 pounds and run more than 7500 miles hauling to Duluth --- do they have to get a commercial license then?

Keith Kyser: Under North Dakota law, farmers are allowed to hauls their product to market. I do believe that the mills in Minneapolis do not accept direct farm deliveries -- I think that it has to go through an elevator -- once that grain goes through the elevator it is no longer the farmers product. Then he could not make that haul. However if the farmer could haul from Williston to Duluth and they would accept it directly at the terminal, he could do that.

Note: Tape ended at 51.7 -- in the interim of changing the tape to side b -- Chairman Weisz closed the hearing on HB 1346 as there was no further testimony either for or against.

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10/3/03
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1346b

House Transportation Committee

Conference Committee

Hearing Date January 31, 2003

Tape Number	Side A	Side B	Meter #
2	x		25.8 to 40.9
Committee Clerk Signature <i>Lauren L. Zink</i>			

Minutes:

Rep. Weisz, Chairman opened the discussion for action on HB 1346. Following discussion on how this could be enforced. The chairman explained the IRS form 2290 and the enforcement ramifications. Amendments considering 56,000 pound weights or less, but there is still enforcement to catch commercial haulers. Bills of lading and the effects as to whether you are hauling your own product or hauling commercial for an elevator.

Rep. Thorpe: Do to too many problems which this bill would not address, moved a 'Do Not Pass'. Rep Galvin: Seconded the motion.

On a roll call vote the motion failed b 6 Ayes 7 Nays 0 Absent and not voting.

Rep. Ruby: (35.9) Need to amend to apply to those trucks which require a 2290. Following further discussion, Rep. Price moved to amend HB 1346 to read that it would apply to those trucks requiring a 2290 and that the proper wording be worked out and that the motion is for a a 'Do Pass as Amended'. Rep: Hawken, Vice Chairman seconded the motion.

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10/3/03
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House Transportation Committee
Bill/Resolution Number HB 1346
Hearing Date January 31, 2003

On a roll call vote, the motion carried 12 Ayes 1 Nay 0 Absent and not voting.

Rep. Headland was designated to carry HB 1346 on the floor. (40.9)

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Demetrius Hallworth
Operator's Signature

10/3/03
Date

FISCAL NOTE
 Requested by Legislative Council
 02/04/2003

Amendment to: HB 1346

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.

	2001-2003 Biennium		2003-2005 Biennium		2005-2007 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.

2001-2003 Biennium			2003-2005 Biennium			2005-2007 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.

This bill, as amended, requires farm trucks with a registered gross weight exceeding 55,000 pounds that operate more than 7,500 miles per year to obtain commercial truck registration.

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.

It is presumed that some vehicles currently registered as farm trucks with a gross weight exceeding 55,000 pounds may operate more than 7,500 miles per year and would therefore be required to obtain the more expensive commercial registration. However, it is not possible to estimate how many current farm trucks may be subjected to the provisions of this bill, and therefore no accurate estimate of additional revenue can be made.

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.

The anticipated expenditures to implement this bill, as amended, should be less than \$5,000.

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:	328-2734	Date Prepared:	02/05/2003

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10/3/03
 Date

FISCAL NOTE
 Requested by Legislative Council
 01/15/2003

Bill/Resolution No.: HB 1348

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.

	2001-2003 Biennium		2003-2005 Biennium		2005-2007 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues				(\$6,300)		(\$3,162)
Expenditures				\$10,000		\$5,000
Appropriations				\$10,000		\$5,000

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

2001-2003 Biennium			2003-2005 Biennium			2005-2007 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
			(\$2,300)	(\$1,400)		(\$1,160)	(\$700)	

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

This bill limits farm truck registrations to those farm trucks that operate less than 7,500 miles per year. If enacted, the DOT would need to implement procedures to ensure farm truck registration are issued only to qualifying trucks.

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.

It is presumed that some farm trucks operate more than 7,500 miles per year and would therefore be required to obtain a more expensive commercial registration. However, it is not possible to estimate the amount of additional revenue that will be gained as there is no information available on the number of farm trucks that operate more than 7,500 miles per year.

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.

It is anticipated that procedures related to the renewal of registration for farm trucks, as well as the procedures for registering newly acquired farm trucks, will need to be modified to comply with the provisions of this bill. It is also anticipated that we will incur additional costs to inform dealers and farmers about the new requirements.

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.

The DOT budget does not contain the funds necessary to implement the provisions of this bill.

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Dennis Holcomb
 Operator's Signature

10/3/03
 Date

Name:	Keith Kiser	Agency:	NDDOT
Phone Number:	328-2725	Date Prepared:	01/20/2003

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Deanna Kiser
Operator's Signature

10/3/03
Date

