

# MICROFILM DIVIDER

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



ROLL NUMBER

DESCRIPTION

1368

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Deanna Hallworth  
Operator's Signature

10/3/03  
Date

2003 HOUSE TRANSPORTATION

HB 1368

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Demetrius Hall  
Operator's Signature

10/3/03  
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1368

House Transportation Committee

Conference Committee

Hearing Date January 30, 2003

Tape Number	Side A	Side B	Meter #
1	x		0.9 to 7.9

Committee Clerk Signature *Laura H. Fink*

Minutes:

Rep. Weisz, Chairman opened the hearing on HB 1368, a bill for an Act to amend and reenact subsection 1 of section 39-04-12 of the North Dakota Century Code, relating to the distinctive number on vehicle number plates.

Rep. Froelich: Representing District 31. Representative Kempenich asked me to fill in for him as he could not be here. This law is already in effect in other states. The counties in South Dakota and in Montana have the county designation on their plates already. We have heard there ulterior motive in this bill to find out where people are from. Representative Kempenich assures me there is no such thing. Rep. Kempenich had prepared written testimony. A copy of his testimony is attached.

Keith Magnuson: Representing the North Dakota DOT. They are concerned about this bill because of the impact it would have on the Department. In talking with Rep. Kempenich I find that the problems he has is much smaller than the solution in this bill. With this bill we would

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*Dennis Hallworth*  
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House Transportation Committee  
Bill/Resolution Number HB 1368  
Hearing Date January 30, 2003

have the general issuance of plates --- which our fiscal note reflects--- that cost so much because all vehicles would have to have letters signifying the county of the residence of the registered owner. Other states have this in their laws -- in South Dakota and in Montana --- but in most states that have this provision -- the counties collect the fees and pay over to the state a portion of the fees. Ours is just the opposite as we collect the fees at the state level and distribute to the cities and to the counties. It makes sense for the counties to have county designations on the plates because they are trying to collect their money. In talking to Rep. Kempenich, it appears that they are trying to get at those farm trucks -- which are licensed at a much lower cost as farm vehicles doing commercial hauling. Keith Kyser can talk to this issue better than I but there are exemptions in the law for trading work, etc. If it is an enforcement problem, law enforcement can haul these trucks over to check their loads. But, to place this requirement on all vehicle for the farm truck problems seems excessive. Farm trucks are supposed to be limited to one hundred fifty miles to carry their own produce. We will computer programming changes but the bigger problem is that we would have to have a much bigger inventory of plates out in those branch offices for those counties they serve--- there is a substantial cost to administer this program.

Rep. Weisz, Chairman : Rep. Kempenich, gave us some testimony---- do you read into this bill that this would take effect only when there is a general issuance of plates?

Keith Magnuson: That is correct -- it doesn't say that we have to have a new general issuance but if it did we would need a lot of money to do that but it would only be at a general issuance that we could do this -- with the letters, etc.

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House Transportation Committee  
Bill/Resolution Number HB 1368  
Hearing Date January 30, 2003

Rep. Ruby: ( 5.7) Is it possible that they ( farm trucks hauling commercial loads) could haul for neighbors and still stay within the one hundred fifty mile radius? So this wouldn't correct the problem, right?

Keith Magnuson: That is correct because basically it is an enforcement problem. They could easily be hauling for hire within that radius and you wouldn't know it. It is probably not an easy problem to fix.

Keith Kyser: Director of Motor Vehicle Division of the DOT. It isn't very often that I stand up after my boss and correct something he said-- but there is no one hundred fifty mile restriction on the hauling of farm products. There is a restriction on the driver's license. There is a provision in the law for helping out another farmer by hauling for him -- an example I thought of this morning would that of a valley farmer hauling sugar beets and then going to the far western part of the state to help out with sugar beets hauls in the Trenton area --exchanging labor. I helped put the fiscal note together and I did read the bill to mean that we would have to have a general issuance under this bill. I would ask that if the committee is for this bill that would clarify if they mean for a general issuance because of the costs.

There being no further testimony on HB 1368, Rep. Weisz, Chairman closed the hearing on HB 1368. ( 7.9)

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2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1368 b

House Transportation Committee

Conference Committee

Hearing Date January 31, 2003

Tape Number	Side A	Side B	Meter #
2	x		19.3 to 25.6

Committee Clerk Signature *Laurence R. Ford*

Minutes:

Rep. Weisz, Chairman : Opened the discussion for action on HB 1368.

Following discussion considering the need for the bill and as to whether the bill would solve any problems.

Rep. Headland : Stating the bill was unnecessary , moved a 'Do NO Pass' motion for HB 1368.

Rep. Thorpe seconded the motion.

On a roll call vote the motion carried 11 ayes 0 nays 2 absent and not voting.

Rep. Weiler was designated to carry HB 1368 on the floor. ( 25.6 )

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**FISCAL NOTE**  
 Requested by Legislative Council  
 01/17/2003

Bill/Resolution No.: HB 1368

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
<b>Revenues</b>				(\$2,520,000)		(\$315,000)
<b>Expenditures</b>				\$4,000,000		\$500,000
<b>Appropriations</b>				\$4,000,000		\$500,000

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
			(\$920,000)	(\$560,000)				

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

This bill requires that most license plates display a two letter county designator. The only way to comply with the provisions of this bill is to issue new license plates for most vehicles.

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.

All MV expenses are funded directly from the HW distribution fund proceeds before distribution. Thus, the \$4 million of additional expenses resulting from this bill would come directly off the top of the HW distribution fund before the balance of the fund is distributed between DOT, and the cities and counties. As a result, the amount available for distribution would decrease by \$4 million dollars. The resulting revenue loss to the DOT for transportation purposes would be \$2.52 million. The loss to the cities and counties would be \$560,000 and \$920,000 respectively.

In order to prevent this revenue loss if this bill were passed, additional revenue of \$4 million would have to be generated. As written, this bill does not provide for this additional revenue.

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 estimated cost for a general issuance of license plates is \$3.5 million. In addition, the Department of Transportation will have to purchase and use more license plates under the provisions of this bill as a result of customers who move from one county to another. Also, each of the 17 offices that issue license plates will need to maintain a larger of license plates for all 53 counties as county residents are not restricted to purchasing their license plates in their county of residence. Finally, some changes will need to be made to our computer system to ensure the correct county plates are issued for each vehicle. The overall estimated cost is \$4 million.

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**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.

None of the anticipated expenditures were included in the proposed Department budget.

<b>Name:</b>	Shannon Sauer	<b>Agency:</b>	NDDOT
<b>Phone Number:</b>	328-4375	<b>Date Prepared:</b>	01/22/2003

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Date: 1/31/03  
Roll Call Vote #: 1

**2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. 1368**

House TRANSPORTATION Committee

Check here for Conference Committee

Legislative Council Amendment Number 30575.0100

Action Taken Do Not Pass

Motion Made By Rep. HD Seconded By Rep Thorp

Representatives	Yes	No	Representatives	Yes	No
Robin Weisz - Chairman	✓		Lois Delmore	✓	
Kathy Hawken - Vice Chairman	✓		Arlo E. Schmidt	A	
LeRoy G. Bernstein	✓		Elwood Thorpe	✓	
Mark A. Dosch	A		Steven L. Zaiser	✓	
Pat Galvin	✓				
Craig Headland	✓				
Clara Sue Price	✓				
Dan J. Ruby	✓				
Dave Weiler	✓				

Total Yes 11 No 0

Absent 2

Floor Assignment Rep. Weiler

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

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**REPORT OF STANDING COMMITTEE (410)**  
January 31, 2003 12:28 p.m.

Module No: HR-19-1437  
Carrier: Weller  
Insert LC: . Title: .

**REPORT OF STANDING COMMITTEE**  
**HB 1368: Transportation Committee (Rep. Welsz, Chairman) recommends DO NOT PASS**  
**(11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1368 was placed on the**  
**Eleventh order on the calendar.**

(2) DESK, (3) COMM

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HR-19-1437

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