

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2255

2005 SENATE TRANSPORTATION

SB 2255

2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2255

Senate Transportation Committee

Conference Committee

Hearing Date 1-27-05

Tape Number	Side A	Side B	Meter #
1		x	1990-3505
Committee Clerk Signature <i>Mary K Monson</i>			

Minutes:

**Chairman Trenbeath** opened the hearing on SB 2255 relating to a separate and additional motor vehicle excise tax; relating to revenue from the motor vehicle excise tax; and to provide an effective date.

**Senator Trenbeath** (District 10) See attached testimony in support of SB 2255.

**Senator Bob Stenehjem** (District 30) Testified in support of SB 2255. He said this is always an issue. Almost biannually, there is a struggle with the match for federal highway funding and they always seem to come up with a match in the form of vehicle registration fee increases or gas tax increases. The problem in North Dakota is that there is a slight increase in the vehicles registered every year over the previous year. There is a slight increase in the number of gallons of fuel that is sold every year. But the increase is so small that the line is almost flat. There is no growth.

When a cost is tacked onto gasoline or to the motor vehicle registration, there is no natural inflationary increase like there is on excise tax. According to the red book, in 1994 the state sold

or taxed approximately 362 million gallons of gasoline. In 2003, it's 368 million gallons. That isn't much of an increase to increase the revenues to make the increasing federal match. The motor vehicle excise tax is what most people consider the sales tax they pay on a new or used vehicle. In 1994 the state collected \$44 million. The 2005 estimate is \$71 million. The actual number for 2004 was \$70 million. There is a normal inflationary increase in the excise tax. It is his hope that every session the legislature doesn't have to argue about whether to raise vehicle registration fees or the gas tax to make the federal match. He suggests the committee might consider looking at a percentage of the existing 5% excise tax rather than raising the rate of the tax.

**LeRoy Ernst** (ND Motor Carriers Association) Their membership is opposed to the concept of a fuel tax increase. They are supportive of a modest registration fee increase and also look positively at the proposed SB 2255 which increases it a 1/2 percent and generates about \$14 million. ( Meter 2755) Their industry is looking at an increase of approximately 39% from last year on the cost of fuel. (Meter 1815) For every penny increase they are looking at an additional cost of \$200 operating expense per unit. His sources tell him that fuel costs are not going down and, if anything, it is going up for the balance of 2005. Taking this into consideration, they are in support of the highway use tax concept. They are big users of the system but they feel a combination of other sources of revenue, such as the registration and the excise tax, at this point in time, would be the way to go.

**Terry Traynor** (Assistant Director of the Association of Counties) They think this is an excellent idea to bring into the mix of discussion. It brings a growth factor into a real sorely needed area. However, this takes the revenue and puts it all into the State Highway Fund. If we

are going to embark on this new formula and move into this source of revenue, it would be appreciated if it would be put into the State Highway Distribution Funds. All those county roads lead to the state roads and we need to continue to support them. They are facing the same things as the state--increasing need to match federal dollars, increasing costs of maintenance.

**Eric Aasmundstad** (President of ND Farm Bureau) See attached testimony in support of SB 2255.

**Jerry Hjelmstad** (ND League of Cities) (Meter 3325) Appeared in support of SB 2255. They strongly support the efforts of the Legislature to provide matching funds for the highways. They further encourage the Legislature to keep in mind the partnership that has existed between the local governments up to the Highway Tax Distribution Fund and, to the extent possible, include that fund when efforts to find matching funds are made.

**Russ Hanson** (Petroleum Marketers of ND) Offered support of SB 2255.

There was no testimony in opposition to SB 2255.

The hearing on SB 2255 was closed.

2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2255

Senate Transportation Committee

Conference Committee

Hearing Date 2-03-05

Tape Number	Side A	Side B	Meter #
2	x		2060-6230
Committee Clerk Signature <i>Mary K Monson</i>			

Minutes:

**Chairman Trenbeath** opened SB 2255 for discussion. The proposed amendment 50671.0102 was before the committee. The intent was to amalgamate 2144, 2255, and 2348. SB 2255 would stand as it is which is the .5% increase in excise taxes. SB 2144 becomes section 1 of this amendment and is amended to reclassify and raise the registration fees for pickups and light trucks up to approximately a 1 ton variety. It makes those fees equal to the fees paid by the passenger vehicles. Section 2 and section 3 are basically SB 2348 with respect to raising an additional dollar for public transportation.

**Senator Mutch** commented that the lightweights have been eliminated and plugged them in down lower.

**Senator Nething** said that is because it is comparable to a car.

**Senator Trenbeath** said this would roughly encompass everything from the S-10 pickup up to the quad cab, dual, diesel powered, camper tower.

(Meter 2500) There was some discussion what the figures would be with this. Rough estimates from the DOT were that there are about 180,000 vehicles in that area and in the years 1-9 there would be about \$6 million over the biennium. Raises only go up through the 14,000 weight category.

**Senator Trenbeath** pointed out that under any formula the DOT has statutory authorization to borrow from the Bank of ND to fill the gap if they come up short.

**Senator Nething** As a matter of framing this appropriately, asked if they would have been better in drafting the amendment in relationship to that provision that has the automobiles in it that they are trying to equate to.

**Senator Trenbeath** said that he might have a point--include them under the definition of passenger vehicles.

(Meter 2915) Discussion that it would be more clearly understood especially down at the 14,000 lbs when they really aren't passenger vehicles but the others are. They would have to look at the definition of passenger vehicles in case they did not encompass this.

**Senator Trenbeath** reported that the definition of passenger motor vehicle means every motor vehicle designed principally for the transportation of persons and includes vehicles that utilize a truck chassis, have a seating capacity for four or more passengers. He said they wouldn't necessarily pick up the single cab pickups under this definition.

**Senator Trenbeath** (Meter 3590) said that, if the definition of passenger motor vehicles includes four passenger trucks, they are already included as passenger vehicle. The second classification would encompass then the type of pickup with only one bench seat.

**Senator Nething** suggested that the whole new section could be moved into the automobile.

**Senator Trenbeath** said they could move it all into the automobile and amend. The definition of passenger motor vehicle is the problem. This section also includes school buses, buses for hire, buses owned and operated by.....etc. and trucks or combination trucks and trailers, except those trucks or combination trucks and trailers which aren't the heavyweights that are shown.  
(Meter 3790) Discussion on amending the language.

**Senator Trenbeath** said his feeling was that, for these purposes, this might be easier to administer for the DOT because they are used to what vehicles go into which classification. The gross vehicle weight parameters are just being reset for registration.

**Senator Nething** felt that it might be easier for legislators to understand if it was in the automobile section. That section would be amended to include these vehicles.

(Meter 4015) Discussion on the following: (1) the 14,000 - 20,000 category (2) examples of the 9,000 - 14,000 category (3) the problem is that the change is a little drastic.

**Senator Trenbeath** asked if there was a suggestion for a redraft.

**Senator Nething** said he liked putting everything into one bill but was concerned with some of the big jumps. Thought they all would like to find a way to make sure they would come up with enough money to do the match. He would like to see the locals get their regular shares and see this part go into the Highway Trust Fund, whichever way they go, because that is where registration fees have historically gone.

(Meter 4790) Presuming that the 1/2% increase in the excise tax will bring them \$14 million, there was discussion on how much they would have to raise in order to get for the Highway Distribution Fund. Possibly \$7.50 per vehicle. Discussion continued as to whether they should take that across the board or if some of the brackets should be adjusted.

(Meter 5270) Discussion indicated that there was agreement as to the concept and what the amendment would look like.

**Senator Trenbeath** (Meter 5880) summarized. He said they would have a bill that will raise the excise tax on motor vehicles 1/2 of 1% that will be directed to the Highway Fund. The registration fees would be raised across the board by \$7.50 per vehicle which will go to the Highway Distribution Fund. There will be a \$1 addition of registrations for public transportation.

**Senator Nething** motioned to accept the proposed amendment. Seconded by **Senator Mutch**.

Roll call vote 5-0-1. **Amendment Passed.**

**Senator Nething** motioned a **Do Pass as Amended**. Seconded by **Senator Mutch**.

As per Chairman Trenbeath, the vote was held open for Senator Espegard. Final roll call vote 6-0-0. **Passed**. Floor carrier is **Senator Trenbeath**. This bill was rereferred to Appropriations.

**FISCAL NOTE**  
 Requested by Legislative Council  
 02/08/2005

Amendment to: SB 2255

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.*

	2003-2005 Biennium		2005-2007 Biennium		2007-2009 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues				\$20,974,637		\$23,174,637
Expenditures				\$60,000		\$60,000
Appropriations				\$60,000		\$60,000

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

2003-2005 Biennium			2005-2007 Biennium			2007-2009 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
			\$3,238,845	\$1,969,298		\$3,238,845	\$1,969,298	

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

This bill has three separate revenue generating provisions. First, the bill provides for an increase in motor vehicle registrations which totals \$10,054,980. This revenue will go to the Highway Distribution fund and split between the DOT, the counties, and cities.

Secondly, the bill provides for an increase in the motor vehicle excise tax totaling \$14.6 million for the 05-07 biennium and \$16.8 million for the 07-09 biennium. This increase will be deposited in the Highway Fund.

Finally, the bill provides for a \$1 increase in the public transportation fee. The increase will produce an additional \$1,550,000 per biennium and will be deposited in the public transportation fund.

The bill also has a provision that repeals the current dedication of \$3 of each motor vehicle registration to the highway fund. As a result, the revenue generated by the \$3 will go to the highway distribution fund to be shared between the DOT, the counties, and the cities. The \$3 fee generates approximately \$4.1 million per biennium. As a result, the cities will gain approximately \$570,000, the counties will gain \$940,000, and the DOT will lose \$1,510,000.

This bill will also create an increased workload for the Motor Vehicle Division that is estimated to cost \$60,000 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.*

	Total	Other funds	Counties	Cities
<u>2005-2007</u>				
Motor Vehicle Registration Fee Increase	\$10,054,980	\$6,334,637	\$2,312,645	\$1,407,698
Motor Vehicle Excise Tax Increase	\$14,600,000	\$14,600,000		
Public Transportation Fee Increase	\$1,550,000	\$1,550,000		
Repeal of \$3 dedication		(\$1,510,000)	\$940,000	\$570,000
Total	\$26,204,980	\$20,974,637	\$3,252,645	\$1,977,698
<u>2007-2009</u>				
Motor Vehicle Registration Fee Increase	\$10,054,980	\$6,334,637	\$2,312,645	\$1,407,698
Motor Vehicle Excise Tax Increase	\$16,800,000	\$16,800,000		

Public Transportation Fee Increase	\$1,550,000	\$1,550,000		
Repeal of \$3 dedication		(\$1,510,000)	\$940,000	\$570,000
Total	\$28,404,980	\$23,174,637	\$3,252,645	\$1,977,698

**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 change in the motor vehicle excise tax rate will generate confusion for the general public and we anticipate an increase in an increased volume of communications from the public and an increased volume of title applications that we can not process because the tax is computed incorrectly. We would need a budget enhancement for \$40,000 for temporary salaries, \$2,000 for printing expenses, and \$18,000 for additional first class postage. We anticipate the need will also exist in the 2007-2009 biennium.

These additional costs are funded off the top of the highway distribution fund before distribution. Therefore, this reduces the revenues available to the cities and counties. The impact is a reduction in revenue of \$13,800 to the counties and \$8,400 to the cities

**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.

We will need a budget enhancement to cover the costs of the expenditures detailed above.

<b>Name:</b>	Shannon L. Sauer	<b>Agency:</b>	NDDOT
<b>Phone Number:</b>	328-4375	<b>Date Prepared:</b>	02/09/2005

**FISCAL NOTE**  
 Requested by Legislative Council  
 01/18/2005

Bill/Resolution No.: SB 2255

**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.*

	2003-2005 Biennium		2005-2007 Biennium		2007-2009 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
<b>Revenues</b>				\$14,600,000		\$16,800,000
<b>Expenditures</b>				\$60,000		\$60,000
<b>Appropriations</b>				\$60,000		\$60,000

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

2003-2005 Biennium			2005-2007 Biennium			2007-2009 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
			(\$13,800)	(\$8,400)		(\$13,800)	(\$8,400)	

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

This bill will generate approximately \$14.6 million per biennium in additional motor vehicle excise tax collections that will be deposited to the Highway Fund. It will also create an increased workload for the Motor Vehicle Division that is estimated to cost \$60,000 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.*

It is estimated this bill will generate \$14.6 million for the Highway Fund in the next biennium and \$16.8 million in the 2007-2009 biennium.

**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 change in the tax rate will generate confusion for the general public and we anticipate an increased volume of communications from the public and an increased volume of title applications that we can not process because the tax is computed incorrectly. We may need a budget enhancement for \$40,000 for temporary salaries, \$2,000 for printing expenses, and \$18,000 for additional first class postage. We anticipate the need will also exist in the 2007-2009 biennium.

**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.*

We will need a budget enhancement to cover the costs of the expenditures detailed above.

<b>Name:</b>	Keith Kiser	<b>Agency:</b>	NDDOT
<b>Phone Number:</b>	328-2725	<b>Date Prepared:</b>	01/21/2005

PROPOSED AMENDMENTS TO SENATE BILL NO. 2255

Page 1, line 3, replace "section" with "subdivision b of subsection 2 of section 39-04-19, sections 39-04.2-03, 39-04.2-04, and" and after "to" insert "registration fees for trucks, funding for public transportation, and"

Page 1, line 4, after the semicolon insert "to repeal section 7 of chapter 12 of the 2003 Session Laws, relating to registration fee allocation;"

Page 1, after line 5 insert:

**"SECTION 1. AMENDMENT.** Subdivision b of subsection 2 of section 39-04-19 of the North Dakota Century Code is amended and reenacted as follows:

- b. Schoolbuses, buses for hire, buses owned and operated by religious, charitable, or nonprofit organizations and used exclusively for religious, charitable, or other public nonprofit purposes, and trucks or combination trucks and trailers, including commercial and noncommercial trucks, except those trucks or combinations of trucks and trailers which qualify for registration under subsection 5:

Gross Weights	YEARS REGISTERED				
	1st Through 6th Years	7th Through 9th Years	10th Through 12th Years	13th Through 19th Years	20th and Subsequent Years
<del>Net over 4,000</del>	<del>\$58</del>	<del>\$45</del>	<del>\$40</del>	<del>\$37</del>	<del>\$36</del>
4,001 - 6,000	63	50	44	38	37
6,001 - 8,000	68	55	48	39	38
8,001 - 10,000	73	60	52	41	40
10,001 - 12,000	78	65	56	42	42
12,001 - 14,000	83	70	60	46	45
Less than 3,200	\$60	\$52	\$44	\$36	\$35
3,200 - 4,499	80	68	56	44	43
4,500 - 4,999	98	81	66	50	49
5,000 - 5,999	129	107	85	63	62
6,000 - 6,999	162	133	104	76	75
7,000 - 7,999	195	159	124	89	88
8,000 - 8,999	228	186	144	102	101
9,000 - 14,000	261	212	164	115	114
14,001 - 16,000	88	75	64	49	48
16,001 - 18,000	93	80	68	51	50
18,001 - 20,000	96	83	70	52	51

Gross Weights	YEARS REGISTERED		
	1st, 2nd, 3rd, 4th, 5th, 6th, and 7th Years	8th, 9th, 10th, 11th, and 12th Years	13th and Subsequent Years
20,001 - 22,000	\$126	\$100	\$87
22,001 - 26,000	178	148	132
26,001 - 30,000	239	197	175
30,001 - 34,000	305	250	222
34,001 - 38,000	366	299	265
38,001 - 42,000	427	348	307
42,001 - 46,000	488	396	350

46,001 - 50,000	549	445	393
50,001 - 54,000	619	503	444
54,001 - 58,000	680	552	487
58,001 - 62,000	742	601	530
62,001 - 66,000	802	649	573
66,001 - 70,000	863	698	615
70,001 - 74,000	924	747	658
74,001 - 78,000	985	796	701
78,001 - 82,000	1,046	845	744
82,001 - 86,000	1,169	950	831
86,001 - 90,000	1,291	1,054	918
90,001 - 94,000	1,413	1,159	1,005
94,001 - 98,000	1,535	1,264	1,093
98,001 - 102,000	1,657	1,368	1,180
102,001 - 105,500	1,779	1,473	1,267

**SECTION 2. AMENDMENT.** Section 39-04.2-03 of the North Dakota Century Code is amended and reenacted as follows:

**39-04.2-03. Additional registration fee - Deposit in fund.** At the time of registering a motor vehicle subject to registration under section 39-04-19, the owner shall pay to the director in addition to the registration fee a fee of ~~two~~ three dollars for each motor vehicle registered. The fee must be deposited with the state treasurer, who shall credit the fee to the public transportation fund.

**SECTION 3. AMENDMENT.** Section 39-04.2-04 of the North Dakota Century Code is amended and reenacted as follows:

**39-04.2-04. Distribution of funds.**

1. Moneys appropriated by the legislative assembly to the public transportation fund must be disbursed under guidelines issued by the director. The funds must be used by transportation providers to establish and maintain public transportation, especially for the elderly and handicapped, and may be used to contract to provide public transportation, as matching funds to procure money from other sources for public transportation and for other expenditures authorized by the director.
2. Following authorization of the director, the state treasurer shall pay the public transportation funds to transportation providers in each county. Each county shall receive ~~twelve~~ eighteen thousand ~~two~~ three hundred dollars plus one dollar and fifty cents per capita of population in the county, based upon the latest regular or special official federal census. Each year the director shall increase or decrease the one dollar and fifty cents per capita amount in order to distribute all funds appropriated for the biennium. If there are multiple transportation providers in one county, then the base amount of ~~twelve~~ eighteen thousand ~~two~~ three hundred dollars must be divided equally among the providers and the additional per capita amount must be based upon the percentage of elderly and handicapped ridership provided by each transportation provider within the county.
3. Unless otherwise provided by law, any moneys remaining in the fund at the end of each biennium must be retained in the public transportation fund for redistribution."

Page 1, after line 20, insert:

"**SECTION 6. REPEAL.** Section 7 of chapter 12 of the 2003 Session Laws is repealed."

Renumber accordingly

PROPOSED AMENDMENTS TO SENATE BILL NO. 2255

Page 1, line 3, replace "section" with "sections 39-04-19, 39-04.2-03, 39-04.2-04, and" and after "to" insert "registration fees, funding for public transportation, and"

Page 1, line 4, after the semicolon insert "to repeal section 7 of chapter 12 of the 2003 Session Laws, relating to registration fee allocation,"

Page 1, after line 5, insert:

**"SECTION 1. AMENDMENT.** Section 39-04-19 of the North Dakota Century Code is amended and reenacted as follows:

**39-04-19. Motor vehicle registration fees and mile tax.** Motor vehicles required to pay registration fees or a mile tax shall pay the following fees:

1. Nonresidents electing to pay mile tax in lieu of registration, when authorized to do so by the department, shall pay a fee of twenty dollars for a trip permit which is valid for a period of seventy-two hours. All fees collected under the provisions of this subsection must be credited to the highway construction fund.
2. Motor vehicles required to be registered in this state must be furnished license plates upon the payment of the following annual fees; however, if a motor vehicle, including a motorcycle or trailer, first becomes subject to registration other than at the beginning of the registration period, such fees must be prorated on a monthly basis. The minimum fee charged hereunder must be five dollars:

a. Passenger motor vehicles:

Gross Weights	YEARS REGISTERED				
	1st, 2nd, 3rd, 4th, 5th, and 6th Years	7th, 8th, and 9th Years	10th, 11th, and 12th Years	13th and Subsequent Years	
Less than 3,200	<del>\$60</del> <u>\$67.50</u>	<del>\$52</del> <u>\$59.50</u>	<del>\$44</del> <u>\$51.50</u>	<del>\$36</del> <u>\$43.50</u>	
3,200 - 4,499	<del>80</del> <u>87.50</u>	<del>68</del> <u>75.50</u>	<del>56</del> <u>63.50</u>	<del>44</del> <u>51.50</u>	
4,500 - 4,999	<del>98</del> <u>105.50</u>	<del>84</del> <u>88.50</u>	<del>66</del> <u>73.50</u>	<del>50</del> <u>57.50</u>	
5,000 - 5,999	<del>129</del> <u>136.50</u>	<del>107</del> <u>114.50</u>	<del>86</del> <u>92.50</u>	<del>63</del> <u>70.50</u>	
6,000 - 6,999	<del>162</del> <u>169.50</u>	<del>133</del> <u>140.50</u>	<del>104</del> <u>111.50</u>	<del>76</del> <u>83.50</u>	
7,000 - 7,999	<del>195</del> <u>202.50</u>	<del>159</del> <u>166.50</u>	<del>124</del> <u>131.50</u>	<del>89</del> <u>96.50</u>	
8,000 - 8,999	<del>228</del> <u>235.50</u>	<del>186</del> <u>193.50</u>	<del>144</del> <u>151.50</u>	<del>102</del> <u>109.50</u>	
9,000 and over	<del>261</del> <u>268.50</u>	<del>212</del> <u>219.50</u>	<del>164</del> <u>171.50</u>	<del>115</del> <u>122.50</u>	

A house car is subject to registration at the rates prescribed for other vehicles under this subdivision modified by using the weight applicable to a vehicle whose weight is forty percent of that of the house car, but not using a weight of less than four thousand pounds [1814.35 kilograms].

- b. Schoolbuses, buses for hire, buses owned and operated by religious, charitable, or nonprofit organizations and used exclusively for religious, charitable, or other public nonprofit purposes, and trucks or combination trucks and trailers, including commercial and

noncommercial trucks, except those trucks or combinations of trucks and trailers which qualify for registration under subsection 5:

Gross Weights	YEARS REGISTERED					
	1st Through 6th Years	7th Through 9th Years	10th Through 12th Years	13th Through 19th Years	20th and Subsequent Years	
Not over 4,000	\$58 \$65.50	\$45 \$52.50	\$40 \$47.50	\$37 \$44.50	\$36 \$43.50	
4,001 - 6,000	63 70.50	50 57.50	44 51.50	38 45.50	37 44.50	
6,001 - 8,000	68 75.50	55 62.50	48 55.50	39 46.50	38 45.50	
8,001 - 10,000	73 80.50	60 67.50	52 59.50	41 48.50	40 47.50	
10,001 - 12,000	78 85.50	65 72.50	56 63.50	43 50.50	42 49.50	
12,001 - 14,000	83 90.50	70 77.50	60 67.50	46 53.50	45 52.50	
14,001 - 16,000	88 95.50	75 82.50	64 71.50	49 56.50	48 55.50	
16,001 - 18,000	93 100.50	80 87.50	68 75.50	51 58.50	50 57.50	
18,001 - 20,000	96 103.50	83 90.50	70 77.50	52 59.50	51 58.50	

Gross Weights	YEARS REGISTERED		
	1st, 2nd, 3rd, 4th, 5th, 6th, and 7th Years	8th, 9th, 10th, 11th, and 12th Years	13th and Subsequent Years
20,001 - 22,000	\$126 \$133.50	\$100 \$107.50	\$87 \$94.50
22,001 - 26,000	178 185.50	148 155.50	132 139.50
26,001 - 30,000	239 246.50	197 204.50	175 182.50
30,001 - 34,000	305 312.50	250 257.50	222 229.50
34,001 - 38,000	366 373.50	299 306.50	265 272.50
38,001 - 42,000	427 434.50	348 355.50	307 314.50
42,001 - 46,000	488 495.50	396 403.50	350 357.50
46,001 - 50,000	549 556.50	445 452.50	393 400.50
50,001 - 54,000	610 626.50	503 510.50	444 457.50
54,001 - 58,000	680 687.50	552 559.50	487 494.50
58,001 - 62,000	742 749.50	604 608.50	530 537.50
62,001 - 66,000	802 809.50	649 656.50	573 580.50
66,001 - 70,000	863 870.50	698 705.50	615 622.50
70,001 - 74,000	924 931.50	747 754.50	658 665.60
74,001 - 78,000	985 992.50	796 803.50	701 708.50
78,001 - 82,000	1,046 1,053.50	845 852.50	744 751.50
82,001 - 86,000	1,109 1,176.50	900 957.50	801 838.50
86,001 - 90,000	1,201 1,298.50	1,054 1,061.50	918 925.50
90,001 - 94,000	1,413 1,420.50	1,159 1,166.50	1,005 1,012.50
94,001 - 98,000	1,535 1,543.50	1,264 1,271.50	1,093 1,100.50
98,001 - 102,000	1,657 1,664.50	1,368 1,375.50	1,180 1,187.50
102,001 - 105,500	1,779 1,786.50	1,473 1,480.50	1,267 1,274.50

c. Motorcycles, fifteen dollars.

3. Motor vehicles acquired by disabled veterans under the provisions of Public Law 79-663 [38 U.S.C. 3901] are exempt from the payment of state sales or use tax and, if paid, such veterans are entitled to a refund. This exemption also applies to any passenger motor vehicle or pickup truck not exceeding ten thousand pounds [4535.92 kilograms] gross weight but shall apply to no more than two such motor vehicles owned by a disabled veteran at any one time.
4. Every trailer, semitrailer, and farm trailer required to be registered under this chapter must be furnished registration plates upon the payment of a twenty dollar annual fee. Every trailer, semitrailer, or farm trailer not required to be registered under this chapter must be furnished an identification plate upon the payment of a fee of five dollars. Upon the request of a person with a trailer or farm trailer to whom a registration or

identification plate is provided under this subsection, the department shall provide a plate of the same size as provided for a motorcycle. The department shall provide notification of this option to the person before the replacement or issuance of the plate.

5. Trucks or combinations of trucks and trailers weighing more than twenty thousand but not more than one hundred five thousand five hundred pounds [more than 9071.84 but not more than 47854.00 kilograms] which are used as farm vehicles only, are entitled to registration under the following fee schedule and the provisions of this subsection. Farm vehicles are considered, for the purpose of this subsection, as trucks or combinations of trucks and trailers weighing more than twenty thousand but not more than one hundred five thousand five hundred pounds [more than 9071.84 but not more than 47854.00 kilograms] owned, or leased for at least one year by a bona fide resident farmer who uses the vehicles exclusively for transporting the farmer's own property or other property on a farm work exchange basis with other farmers between farms and the usual local trading places but not in connection with any commercial retail or wholesale business being conducted from those farms, nor otherwise for hire. In addition to the penalty provided in section 39-04-41, any person violating this subsection shall license for the entire license period the farm vehicle at the higher commercial vehicle rate in accordance with the weight carried by the farm vehicle at the time of the violation.

Gross Weights	YEARS REGISTERED				
	1st, 2nd, 3rd, 4th, 5th, and 6th Years	7th and 8th Years	9th and 10th Years	11th and Subsequent Years	
20,001 - 22,000	<del>\$98</del> \$105.50	<del>\$84</del> \$91.50	<del>\$70</del> \$77.50	<del>\$52</del> \$59.50	
22,001 - 24,000	<del>103</del> 110.50	<del>88</del> 95.50	<del>73</del> 80.50	<del>54</del> 61.50	
24,001 - 26,000	<del>111</del> 118.52	<del>94</del> 101.50	<del>77</del> 84.50	<del>56</del> 63.50	
26,001 - 28,000	<del>122</del> 129.50	<del>102</del> 109.50	<del>83</del> 90.50	<del>60</del> 67.50	
28,001 - 30,000	<del>131</del> 138.50	<del>110</del> 117.50	<del>89</del> 96.50	<del>64</del> 71.50	
30,001 - 32,000	<del>146</del> 153.50	<del>123</del> 130.50	<del>100</del> 107.50	<del>73</del> 80.50	
32,001 - 34,000	<del>156</del> 163.50	<del>131</del> 138.50	<del>106</del> 113.50	<del>77</del> 84.50	
34,001 - 36,000	<del>166</del> 173.50	<del>139</del> 146.50	<del>112</del> 119.50	<del>81</del> 88.50	
36,001 - 38,000	<del>176</del> 183.50	<del>147</del> 154.50	<del>118</del> 125.50	<del>85</del> 92.50	
38,001 - 40,000	<del>186</del> 193.50	<del>155</del> 163.50	<del>124</del> 131.50	<del>89</del> 96.50	
40,001 - 42,000	<del>196</del> 203.50	<del>163</del> 170.50	<del>130</del> 137.50	<del>93</del> 100.50	
42,001 - 44,000	<del>206</del> 213.50	<del>171</del> 178.50	<del>136</del> 143.50	<del>97</del> 104.50	
44,001 - 46,000	<del>216</del> 223.50	<del>179</del> 186.50	<del>142</del> 149.50	<del>101</del> 108.50	
46,001 - 48,000	<del>226</del> 233.50	<del>187</del> 194.50	<del>148</del> 155.50	<del>105</del> 112.50	
48,001 - 50,000	<del>236</del> 243.50	<del>195</del> 202.50	<del>154</del> 161.50	<del>109</del> 116.50	
50,001 - 52,000	<del>256</del> 263.50	<del>213</del> 220.50	<del>170</del> 177.50	<del>123</del> 130.50	
52,001 - 54,000	<del>266</del> 273.50	<del>221</del> 228.50	<del>176</del> 183.50	<del>127</del> 134.50	
54,001 - 56,000	<del>276</del> 283.50	<del>229</del> 236.50	<del>182</del> 189.50	<del>131</del> 138.50	
56,001 - 58,000	<del>286</del> 293.50	<del>237</del> 244.50	<del>188</del> 195.50	<del>135</del> 142.50	
58,001 - 60,000	<del>296</del> 303.50	<del>245</del> 252.50	<del>194</del> 201.50	<del>139</del> 146.50	
60,001 - 62,000	<del>306</del> 313.50	<del>253</del> 260.50	<del>200</del> 207.50	<del>143</del> 150.50	
62,001 - 64,000	<del>316</del> 323.50	<del>261</del> 268.50	<del>206</del> 213.50	<del>147</del> 154.50	
64,001 - 66,000	<del>326</del> 333.50	<del>269</del> 276.50	<del>212</del> 219.50	<del>151</del> 158.50	
66,001 - 68,000	<del>336</del> 343.50	<del>277</del> 284.50	<del>218</del> 225.50	<del>155</del> 162.50	
68,001 - 70,000	<del>346</del> 353.50	<del>285</del> 292.50	<del>224</del> 231.50	<del>159</del> 166.50	
70,001 - 72,000	<del>356</del> 363.50	<del>293</del> 300.50	<del>230</del> 237.50	<del>163</del> 170.50	
72,001 - 74,000	<del>366</del> 373.50	<del>301</del> 308.50	<del>236</del> 243.50	<del>167</del> 174.50	
74,001 - 76,000	<del>376</del> 383.50	<del>309</del> 316.50	<del>242</del> 249.50	<del>171</del> 178.50	
76,001 - 78,000	<del>386</del> 393.50	<del>317</del> 324.50	<del>248</del> 255.50	<del>175</del> 182.50	
78,001 - 80,000	<del>396</del> 403.50	<del>325</del> 332.50	<del>254</del> 261.50	<del>179</del> 186.50	
80,001 - 82,000	<del>406</del> 413.50	<del>333</del> 340.50	<del>260</del> 267.50	<del>183</del> 190.50	
82,001 - 84,000	<del>416</del> 423.50	<del>355</del> 362.50	<del>303</del> 310.50	<del>259</del> 266.50	

84,001 - 86,000	436 443.50	372 379.50	317 324.50	271 278.50
86,001 - 88,000	456 463.50	389 396.50	331 338.50	283 290.50
88,001 - 90,000	476 483.50	406 413.50	345 352.50	295 302.50
90,001 - 92,000	496 503.50	423 430.50	359 366.50	307 314.50
92,001 - 94,000	516 523.50	440 447.50	373 380.50	319 326.50
94,001 - 96,000	536 543.50	457 464.50	387 394.50	331 338.50
96,001 - 98,000	556 563.50	474 481.50	401 408.50	343 350.50
98,001 - 100,000	576 583.50	491 498.50	415 422.50	355 362.50
100,001 - 102,000	596 603.50	508 515.50	429 436.50	367 374.50
102,001 - 104,000	616 623.50	525 532.50	443 450.50	379 386.50
104,001 - 105,500	636 643.50	542 549.50	457 464.50	391 398.50

6. A motor vehicle registered in subsection 5 may be used for custom combining operations by displaying identification issued by the department and upon payment of a fee of twenty-five dollars.

**SECTION 2. AMENDMENT.** Section 39-04.2-03 of the North Dakota Century Code is amended and reenacted as follows:

**39-04.2-03. Additional registration fee - Deposit in fund.** At the time of registering a motor vehicle subject to registration under section 39-04-19, the owner shall pay to the director in addition to the registration fee a fee of ~~two~~ three dollars for each motor vehicle registered. The fee must be deposited with the state treasurer, who shall credit the fee to the public transportation fund.

**SECTION 3. AMENDMENT.** Section 39-04.2-04 of the North Dakota Century Code is amended and reenacted as follows:

**39-04.2-04. Distribution of funds.**

1. Moneys appropriated by the legislative assembly to the public transportation fund must be disbursed under guidelines issued by the director. The funds must be used by transportation providers to establish and maintain public transportation, especially for the elderly and handicapped, and may be used to contract to provide public transportation, as matching funds to procure money from other sources for public transportation and for other expenditures authorized by the director.
2. Following authorization of the director, the state treasurer shall pay the public transportation funds to transportation providers in each county. Each county shall receive ~~twelve~~ eighteen thousand ~~two~~ three hundred dollars plus one dollar and fifty cents per capita of population in the county, based upon the latest regular or special official federal census. Each year the director shall increase or decrease the one dollar and fifty cents per capita amount in order to distribute all funds appropriated for the biennium. If there are multiple transportation providers in one county, then the base amount of ~~twelve~~ eighteen thousand ~~two~~ three hundred dollars must be divided equally among the providers and the additional per capita amount must be based upon the percentage of elderly and handicapped ridership provided by each transportation provider within the county.
3. Unless otherwise provided by law, any moneys remaining in the fund at the end of each biennium must be retained in the public transportation fund for redistribution."

Page 1, after line 20, insert:

**"SECTION 6. REPEAL.** Section 7 of chapter 12 of the 2003 Session Laws is repealed."

Renumber accordingly

Date: 2-3-05  
Roll Call Vote #: 1

2005 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO 2255

Senate TRANSPORTATION Committee

Check here for Conference Committee

Legislative Council Amendment Number 50671.0103

Action Taken Do Pass Amendment

Motion Made By Sen. Nething Seconded By Sen. Mutch

Senators	Yes	No	Senators	Yes	No
Senator Espegard			Senator Bercier	✓	
Senator Mutch	✓		Senator Warner	✓	
Senator Nething	✓				
Senator Trenbeath, Chairman	✓				

Total (Yes) 5 No 0

Absent 1

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

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

Date: 2-3-05  
Roll Call Vote #: 2

2005 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO 2255

Senate TRANSPORTATION Committee

Check here for Conference Committee

Legislative Council Amendment Number 50671.0103 Title .0200

Action Taken No Pass as Amended - Refer to Appropriations

Motion Made By Sen. Nething Seconded By Sen. Mutch

Senators	Yes	No	Senators	Yes	No
Senator Espegard	✓		Senator Bercier	✓	
Senator Mutch	✓		Senator Warner	✓	
Senator Nething	✓				
Senator Trenbeath, Chairman	✓				

Total (Yes) 6 No 0

Absent 0

Floor Assignment Senator Transportation

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

**REPORT OF STANDING COMMITTEE**

**SB 2255: Transportation Committee (Sen. Trenbeath, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS and BE REREFERRED to the Appropriations Committee (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2255 was placed on the Sixth order on the calendar.**

Page 1, line 3, replace "section" with "sections 39-04-19, 39-04.2-03, 39-04.2-04, and" and after "to" insert "registration fees, funding for public transportation, and"

Page 1, line 4, after the semicolon insert "to repeal section 7 of chapter 12 of the 2003 Session Laws, relating to registration fee allocation;"

Page 1, after line 5, insert:

**"SECTION 1. AMENDMENT.** Section 39-04-19 of the North Dakota Century Code is amended and reenacted as follows:

**39-04-19. Motor vehicle registration fees and mile tax.** Motor vehicles required to pay registration fees or a mile tax shall pay the following fees:

1. Nonresidents electing to pay mile tax in lieu of registration, when authorized to do so by the department, shall pay a fee of twenty dollars for a trip permit which is valid for a period of seventy-two hours. All fees collected under the provisions of this subsection must be credited to the highway construction fund.
2. Motor vehicles required to be registered in this state must be furnished license plates upon the payment of the following annual fees; however, if a motor vehicle, including a motorcycle or trailer, first becomes subject to registration other than at the beginning of the registration period, such fees must be prorated on a monthly basis. The minimum fee charged hereunder must be five dollars:
  - a. Passenger motor vehicles:

Gross Weights	YEARS REGISTERED				
	1st, 2nd, 3rd, 4th, 5th, and 6th Years	7th, 8th, and 9th Years	10th, 11th, and 12th Years	13th and Subsequent Years	
Less than 3,200	<del>\$60</del> <u>\$67.50</u>	<del>\$52</del> <u>\$59.50</u>	<del>\$44</del> <u>\$51.50</u>	<del>\$36</del> <u>\$43.50</u>	
3,200 - 4,499	<del>80</del> <u>87.50</u>	<del>68</del> <u>75.50</u>	<del>56</del> <u>63.50</u>	<del>44</del> <u>51.50</u>	
4,500 - 4,999	<del>98</del> <u>105.50</u>	<del>84</del> <u>88.50</u>	<del>66</del> <u>73.50</u>	<del>50</del> <u>57.50</u>	
5,000 - 5,999	<del>120</del> <u>136.50</u>	<del>107</del> <u>114.50</u>	<del>85</del> <u>92.50</u>	<del>63</del> <u>70.50</u>	
6,000 - 6,999	<del>162</del> <u>169.50</u>	<del>133</del> <u>140.50</u>	<del>104</del> <u>111.50</u>	<del>76</del> <u>83.50</u>	
7,000 - 7,999	<del>195</del> <u>202.50</u>	<del>159</del> <u>166.50</u>	<del>124</del> <u>131.50</u>	<del>89</del> <u>96.50</u>	
8,000 - 8,999	<del>228</del> <u>235.50</u>	<del>186</del> <u>193.50</u>	<del>144</del> <u>151.50</u>	<del>102</del> <u>109.50</u>	
9,000 and over	<del>264</del> <u>268.50</u>	<del>212</del> <u>219.50</u>	<del>164</del> <u>171.50</u>	<del>115</del> <u>122.50</u>	

A house car is subject to registration at the rates prescribed for other vehicles under this subdivision modified by using the weight applicable to a vehicle whose weight is forty percent of that of the house car, but not using a weight of less than four thousand pounds [1814.35 kilograms].

- b. Schoolbuses, buses for hire, buses owned and operated by religious, charitable, or nonprofit organizations and used exclusively for religious, charitable, or other public nonprofit purposes, and trucks or

combination trucks and trailers, including commercial and noncommercial trucks, except those trucks or combinations of trucks and trailers which qualify for registration under subsection 5:

Gross Weights	YEARS REGISTERED				
	1st Through 6th Years	7th Through 9th Years	10th Through 12th Years	13th Through 19th Years	20th and Subsequent Years
Not over 4,000	<del>\$58</del> <u>\$65.50</u>	<del>\$45</del> <u>\$52.50</u>	<del>\$40</del> <u>\$47.50</u>	<del>\$37</del> <u>\$44.50</u>	<del>\$36</del> <u>\$43.50</u>
4,001 - 6,000	<del>63</del> <u>70.50</u>	<del>50</del> <u>57.50</u>	<del>44</del> <u>51.50</u>	<del>38</del> <u>45.50</u>	<del>37</del> <u>44.50</u>
6,001 - 8,000	<del>68</del> <u>75.50</u>	<del>55</del> <u>62.50</u>	<del>48</del> <u>55.50</u>	<del>39</del> <u>46.50</u>	<del>38</del> <u>45.50</u>
8,001 - 10,000	<del>73</del> <u>80.50</u>	<del>60</del> <u>67.50</u>	<del>52</del> <u>59.50</u>	<del>41</del> <u>48.50</u>	<del>40</del> <u>47.50</u>
10,001 - 12,000	<del>78</del> <u>85.50</u>	<del>65</del> <u>72.50</u>	<del>56</del> <u>63.50</u>	<del>43</del> <u>50.50</u>	<del>42</del> <u>49.50</u>
12,001 - 14,000	<del>83</del> <u>90.50</u>	<del>70</del> <u>77.50</u>	<del>60</del> <u>67.50</u>	<del>46</del> <u>53.50</u>	<del>45</del> <u>52.50</u>
14,001 - 16,000	<del>88</del> <u>95.50</u>	<del>75</del> <u>82.50</u>	<del>64</del> <u>71.50</u>	<del>49</del> <u>56.50</u>	<del>48</del> <u>55.50</u>
16,001 - 18,000	<del>93</del> <u>100.50</u>	<del>80</del> <u>87.50</u>	<del>68</del> <u>75.50</u>	<del>51</del> <u>58.50</u>	<del>50</del> <u>57.50</u>
18,001 - 20,000	<del>96</del> <u>103.50</u>	<del>83</del> <u>90.50</u>	<del>70</del> <u>77.50</u>	<del>52</del> <u>59.50</u>	<del>51</del> <u>58.50</u>

Gross Weights	YEARS REGISTERED		
	1st, 2nd, 3rd, 4th, 5th, 6th, and 7th Years	8th, 9th, 10th, 11th, and 12th Years	13th and Subsequent Years
20,001 - 22,000	<del>\$126</del> <u>\$133.50</u>	<del>\$100</del> <u>\$107.50</u>	<del>\$87</del> <u>\$94.50</u>
22,001 - 26,000	<del>178</del> <u>185.50</u>	<del>148</del> <u>155.50</u>	<del>132</del> <u>139.50</u>
26,001 - 30,000	<del>230</del> <u>246.50</u>	<del>197</del> <u>204.50</u>	<del>175</del> <u>182.50</u>
30,001 - 34,000	<del>305</del> <u>312.50</u>	<del>250</del> <u>257.50</u>	<del>222</del> <u>229.50</u>
34,001 - 38,000	<del>366</del> <u>373.50</u>	<del>299</del> <u>306.50</u>	<del>265</del> <u>272.50</u>
38,001 - 42,000	<del>427</del> <u>434.50</u>	<del>348</del> <u>355.50</u>	<del>307</del> <u>314.50</u>
42,001 - 46,000	<del>488</del> <u>495.50</u>	<del>396</del> <u>403.50</u>	<del>350</del> <u>357.50</u>
46,001 - 50,000	<del>549</del> <u>556.50</u>	<del>445</del> <u>452.50</u>	<del>393</del> <u>400.50</u>
50,001 - 54,000	<del>619</del> <u>626.50</u>	<del>503</del> <u>510.50</u>	<del>444</del> <u>457.50</u>
54,001 - 58,000	<del>680</del> <u>687.50</u>	<del>552</del> <u>559.50</u>	<del>487</del> <u>494.50</u>
58,001 - 62,000	<del>742</del> <u>749.50</u>	<del>601</del> <u>608.50</u>	<del>530</del> <u>537.50</u>
62,001 - 66,000	<del>802</del> <u>809.50</u>	<del>649</del> <u>656.50</u>	<del>573</del> <u>580.50</u>
66,001 - 70,000	<del>863</del> <u>870.50</u>	<del>698</del> <u>705.50</u>	<del>615</del> <u>622.50</u>
70,001 - 74,000	<del>924</del> <u>931.50</u>	<del>747</del> <u>754.50</u>	<del>658</del> <u>665.60</u>
74,001 - 78,000	<del>985</del> <u>992.50</u>	<del>796</del> <u>803.50</u>	<del>701</del> <u>708.50</u>
78,001 - 82,000	<del>1,046</del> <u>1,053.50</u>	<del>845</del> <u>852.50</u>	<del>744</del> <u>751.50</u>
82,001 - 86,000	<del>1,109</del> <u>1,116.50</u>	<del>890</del> <u>897.50</u>	<del>787</del> <u>794.50</u>
86,001 - 90,000	<del>1,171</del> <u>1,178.50</u>	<del>934</del> <u>941.50</u>	<del>829</del> <u>836.50</u>
90,001 - 94,000	<del>1,233</del> <u>1,240.50</u>	<del>978</del> <u>985.50</u>	<del>871</del> <u>878.50</u>
94,001 - 98,000	<del>1,295</del> <u>1,302.50</u>	<del>1,022</del> <u>1,029.50</u>	<del>913</del> <u>920.50</u>
98,001 - 102,000	<del>1,357</del> <u>1,364.50</u>	<del>1,066</del> <u>1,073.50</u>	<del>955</del> <u>962.50</u>
102,001 - 105,500	<del>1,419</del> <u>1,426.50</u>	<del>1,110</del> <u>1,117.50</u>	<del>997</del> <u>1,004.50</u>

c. Motorcycles, fifteen dollars.

3. Motor vehicles acquired by disabled veterans under the provisions of Public Law 79-663 [38 U.S.C. 3901] are exempt from the payment of state sales or use tax and, if paid, such veterans are entitled to a refund. This exemption also applies to any passenger motor vehicle or pickup truck not exceeding ten thousand pounds [4535.92 kilograms] gross weight but shall apply to no more than two such motor vehicles owned by a disabled veteran at any one time.
4. Every trailer, semitrailer, and farm trailer required to be registered under this chapter must be furnished registration plates upon the payment of a

twenty dollar annual fee. Every trailer, semitrailer, or farm trailer not required to be registered under this chapter must be furnished an identification plate upon the payment of a fee of five dollars. Upon the request of a person with a trailer or farm trailer to whom a registration or identification plate is provided under this subsection, the department shall provide a plate of the same size as provided for a motorcycle. The department shall provide notification of this option to the person before the replacement or issuance of the plate.

5. Trucks or combinations of trucks and trailers weighing more than twenty thousand but not more than one hundred five thousand five hundred pounds [more than 9071.84 but not more than 47854.00 kilograms] which are used as farm vehicles only, are entitled to registration under the following fee schedule and the provisions of this subsection. Farm vehicles are considered, for the purpose of this subsection, as trucks or combinations of trucks and trailers weighing more than twenty thousand but not more than one hundred five thousand five hundred pounds [more than 9071.84 but not more than 47854.00 kilograms] owned, or leased for at least one year by a bona fide resident farmer who uses the vehicles exclusively for transporting the farmer's own property or other property on a farm work exchange basis with other farmers between farms and the usual local trading places but not in connection with any commercial retail or wholesale business being conducted from those farms, nor otherwise for hire. In addition to the penalty provided in section 39-04-41, any person violating this subsection shall license for the entire license period the farm vehicle at the higher commercial vehicle rate in accordance with the weight carried by the farm vehicle at the time of the violation.

Gross Weights	YEARS REGISTERED				
	1st, 2nd, 3rd, 4th, 5th, and 6th Years	7th and 8th Years	9th and 10th Years	11th and Subsequent Years	
20,001 - 22,000	<del>\$98</del> <u>\$105.50</u>	<del>\$84</del> <u>\$91.50</u>	<del>\$79</del> <u>\$77.50</u>	<del>\$52</del> <u>\$59.50</u>	
22,001 - 24,000	<del>103</del> <u>110.50</u>	<del>88</del> <u>95.50</u>	<del>73</del> <u>80.50</u>	<del>54</del> <u>61.50</u>	
24,001 - 26,000	<del>111</del> <u>118.52</u>	<del>94</del> <u>101.50</u>	<del>77</del> <u>84.50</u>	<del>56</del> <u>63.50</u>	
26,001 - 28,000	<del>122</del> <u>129.50</u>	<del>102</del> <u>109.50</u>	<del>83</del> <u>90.50</u>	<del>60</del> <u>67.50</u>	
28,001 - 30,000	<del>131</del> <u>138.50</u>	<del>110</del> <u>117.50</u>	<del>89</del> <u>96.50</u>	<del>64</del> <u>71.50</u>	
30,001 - 32,000	<del>146</del> <u>153.50</u>	<del>123</del> <u>130.50</u>	<del>100</del> <u>107.50</u>	<del>73</del> <u>80.50</u>	
32,001 - 34,000	<del>156</del> <u>163.50</u>	<del>131</del> <u>138.50</u>	<del>106</del> <u>113.50</u>	<del>77</del> <u>84.50</u>	
34,001 - 36,000	<del>166</del> <u>173.50</u>	<del>139</del> <u>146.50</u>	<del>112</del> <u>119.50</u>	<del>81</del> <u>88.50</u>	
36,001 - 38,000	<del>176</del> <u>183.50</u>	<del>147</del> <u>154.50</u>	<del>118</del> <u>125.50</u>	<del>85</del> <u>92.50</u>	
38,001 - 40,000	<del>186</del> <u>193.50</u>	<del>155</del> <u>163.50</u>	<del>124</del> <u>131.50</u>	<del>89</del> <u>96.50</u>	
40,001 - 42,000	<del>196</del> <u>203.50</u>	<del>163</del> <u>170.50</u>	<del>130</del> <u>137.50</u>	<del>93</del> <u>100.50</u>	
42,001 - 44,000	<del>206</del> <u>213.50</u>	<del>171</del> <u>178.50</u>	<del>136</del> <u>143.50</u>	<del>97</del> <u>104.50</u>	
44,001 - 46,000	<del>216</del> <u>223.50</u>	<del>179</del> <u>186.50</u>	<del>142</del> <u>149.50</u>	<del>101</del> <u>108.50</u>	
46,001 - 48,000	<del>226</del> <u>233.50</u>	<del>187</del> <u>194.50</u>	<del>148</del> <u>155.50</u>	<del>105</del> <u>112.50</u>	
48,001 - 50,000	<del>236</del> <u>243.50</u>	<del>195</del> <u>202.50</u>	<del>154</del> <u>161.50</u>	<del>109</del> <u>116.50</u>	
50,001 - 52,000	<del>256</del> <u>263.50</u>	<del>213</del> <u>220.50</u>	<del>170</del> <u>177.50</u>	<del>123</del> <u>130.50</u>	
52,001 - 54,000	<del>266</del> <u>273.50</u>	<del>221</del> <u>228.50</u>	<del>176</del> <u>183.50</u>	<del>127</del> <u>134.50</u>	
54,001 - 56,000	<del>276</del> <u>283.50</u>	<del>229</del> <u>236.50</u>	<del>182</del> <u>189.50</u>	<del>131</del> <u>138.50</u>	
56,001 - 58,000	<del>286</del> <u>293.50</u>	<del>237</del> <u>244.50</u>	<del>188</del> <u>195.50</u>	<del>135</del> <u>142.50</u>	
58,001 - 60,000	<del>296</del> <u>303.50</u>	<del>245</del> <u>252.50</u>	<del>194</del> <u>201.50</u>	<del>139</del> <u>146.50</u>	
60,001 - 62,000	<del>306</del> <u>313.50</u>	<del>253</del> <u>260.50</u>	<del>200</del> <u>207.50</u>	<del>143</del> <u>150.50</u>	
62,001 - 64,000	<del>316</del> <u>323.50</u>	<del>261</del> <u>268.50</u>	<del>206</del> <u>213.50</u>	<del>147</del> <u>154.50</u>	
64,001 - 66,000	<del>326</del> <u>333.50</u>	<del>269</del> <u>276.50</u>	<del>212</del> <u>219.50</u>	<del>151</del> <u>158.50</u>	
66,001 - 68,000	<del>336</del> <u>343.50</u>	<del>277</del> <u>284.50</u>	<del>218</del> <u>225.50</u>	<del>155</del> <u>162.50</u>	
68,001 - 70,000	<del>346</del> <u>353.50</u>	<del>285</del> <u>292.50</u>	<del>224</del> <u>231.50</u>	<del>159</del> <u>166.50</u>	

70,001 - 72,000	<del>356</del> 363.50	<del>293</del> 300.50	<del>239</del> 237.50	<del>163</del> 170.50
72,001 - 74,000	<del>366</del> 373.50	<del>304</del> 308.50	<del>236</del> 243.50	<del>167</del> 174.50
74,001 - 76,000	<del>376</del> 383.50	<del>309</del> 316.50	<del>242</del> 249.50	<del>174</del> 178.50
76,001 - 78,000	<del>386</del> 393.50	<del>317</del> 324.50	<del>248</del> 255.50	<del>175</del> 182.50
78,001 - 80,000	<del>396</del> 403.50	<del>325</del> 332.50	<del>254</del> 261.50	<del>179</del> 186.50
80,001 - 82,000	<del>406</del> 413.50	<del>333</del> 340.50	<del>260</del> 267.50	<del>183</del> 190.50
82,001 - 84,000	<del>416</del> 423.50	<del>355</del> 362.50	<del>303</del> 310.50	<del>259</del> 266.50
84,001 - 86,000	<del>426</del> 443.50	<del>372</del> 379.50	<del>317</del> 324.50	<del>274</del> 278.50
86,001 - 88,000	<del>456</del> 463.50	<del>389</del> 396.50	<del>331</del> 338.50	<del>283</del> 290.50
88,001 - 90,000	<del>476</del> 483.50	<del>406</del> 413.50	<del>345</del> 352.50	<del>295</del> 302.50
90,001 - 92,000	<del>496</del> 503.50	<del>423</del> 430.50	<del>359</del> 366.50	<del>307</del> 314.50
92,001 - 94,000	<del>516</del> 523.50	<del>440</del> 447.50	<del>373</del> 380.50	<del>319</del> 326.50
94,001 - 96,000	<del>536</del> 543.50	<del>457</del> 464.50	<del>387</del> 394.50	<del>331</del> 338.50
96,001 - 98,000	<del>556</del> 563.50	<del>474</del> 481.50	<del>401</del> 408.50	<del>343</del> 350.50
98,001 - 100,000	<del>576</del> 583.50	<del>491</del> 498.50	<del>415</del> 422.50	<del>355</del> 362.50
100,001 - 102,000	<del>596</del> 603.50	<del>508</del> 515.50	<del>429</del> 436.50	<del>367</del> 374.50
102,001 - 104,000	<del>616</del> 623.50	<del>525</del> 532.50	<del>443</del> 450.50	<del>379</del> 386.50
104,001 - 105,500	<del>636</del> 643.50	<del>542</del> 549.50	<del>457</del> 464.50	<del>391</del> 398.50

6. A motor vehicle registered in subsection 5 may be used for custom combining operations by displaying identification issued by the department and upon payment of a fee of twenty-five dollars.

**SECTION 2. AMENDMENT.** Section 39-04.2-03 of the North Dakota Century Code is amended and reenacted as follows:

**39-04.2-03. Additional registration fee - Deposit in fund.** At the time of registering a motor vehicle subject to registration under section 39-04-19, the owner shall pay to the director in addition to the registration fee a fee of ~~two~~ three dollars for each motor vehicle registered. The fee must be deposited with the state treasurer, who shall credit the fee to the public transportation fund.

**SECTION 3. AMENDMENT.** Section 39-04.2-04 of the North Dakota Century Code is amended and reenacted as follows:

**39-04.2-04. Distribution of funds.**

1. Moneys appropriated by the legislative assembly to the public transportation fund must be disbursed under guidelines issued by the director. The funds must be used by transportation providers to establish and maintain public transportation, especially for the elderly and handicapped, and may be used to contract to provide public transportation, as matching funds to procure money from other sources for public transportation and for other expenditures authorized by the director.
2. Following authorization of the director, the state treasurer shall pay the public transportation funds to transportation providers in each county. Each county shall receive ~~twelve~~ thirteen thousand ~~two~~ three hundred dollars plus one dollar and fifty cents per capita of population in the county, based upon the latest regular or special official federal census. Each year the director shall increase or decrease the one dollar and fifty cents per capita amount in order to distribute all funds appropriated for the biennium. If there are multiple transportation providers in one county, then the base amount of ~~twelve~~ thirteen thousand ~~two~~ three hundred dollars must be divided equally among the providers and the additional per capita amount must be based upon the percentage of elderly and handicapped ridership provided by each transportation provider within the county.

3. Unless otherwise provided by law, any moneys remaining in the fund at the end of each biennium must be retained in the public transportation fund for redistribution."

Page 1, after line 20, insert:

**"SECTION 6. REPEAL.** Section 7 of chapter 12 of the 2003 Session Laws is repealed."

Renumber accordingly

2005 SENATE APPROPRIATIONS

SB 2255

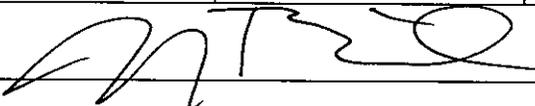
2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2255

Senate Appropriations Committee

Conference Committee

Hearing Date 02/11/05

Tape Number	Side A	Side B	Meter #
1	x		5,012
		x	0-680
Committee Clerk Signature 			

Minutes: **Chairman Holmberg** opened discussion on SB 2255.

**Sen. Nething, District 12** appeared before the committee to provide an overview of SB 2255.

Sen. Nething read each section, and explained them.

**Sen. Robinson (5874)** Regarding the discussion that took place when this bill was put together, was there any consideration to make an adjustment for farm Pickup reduction?

**Sen. Nething:** Yes there was, the first round of the bill was going to make all pickups and light trucks correspond to a motor vehicle registration. The problem was that when we got in where the light truck left off and the next category went up we had a big gap again, we were out of whack. It almost has to be done as a phase in and an interim study.

**Rick Thomes, Executive Director of Souris Basin Transportation, Minot ND** appeared in support of SB 2255. Written testimony as provided see appendix I. Mr. Thomes stated to the committee the Souris Basin Transportation is a rural public transportation system that covers eight counties, encompassing over 11,000 square miles. They are facing a lack of Federal

Page 2

Senate Appropriations Committee

Bill/Resolution Number SB 2255

Hearing Date 02/11/05

matching fund. Mr. Thomes also stated that they do not have enough money to keep going even

if the federal match 50:50, this is there biggest problem, they cannot afford to match these funds.

They cannot afford to by new busses because they cannot afford the matching funds.

**Sen Tallackson (481)** Raising it from \$2 to \$3 will that satisfy your needs?

**Mr. Thomes** Yes but we could always use more.

No further questions.

**Robin Weary, Executive Director of BisMan Transit, and CAT,** appeared in support of SB

2255. Ms. Weary stated that the federal matching dollars are not enough, they cannot afford the

50-50 split, she agreed with Mr. Thomes.

No questions were asked of Ms. Weary.

**Chairman Holmberg** closed meeting on SB 2255.

2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2255

Senate Appropriations Committee

Conference Committee

Hearing Date 02/14/05

Tape Number	Side A	Side B	Meter #
3		x	297-2291
Committee Clerk Signature 			

Minutes: **Chairman Holmberg** opened meeting on SB 2255.

**Sen. Bowman** proposed amendment, for Sen. Trenbeth.

The committee spent sometime trying to figure out what the amendment does.

Chairman Holmberg stated that the it is the distribution, all excise tax money would stay at match.

**Sen. Schobinger:** Although there is still the issue of the Highway distribution fund that gets distributed to the counties.

**Sen. Krauter** When I look at the fiscal note, it basically says that the only way they get the funds is through the motor vehicle registration fee. I cannot support this bill.

A motion was made to adopt the amendment was made by Sen. Sen. Christmann, seconded by Sen. Bowman.

**Sen. Christmann:** Just to clarify why I moved to adopt this is because that this was the intent of the legislation.

**Sen. Trenbeth** appeared to clarify the amendment. Stating that the DOT saw a defugality in the bill that had an unintended consequence.

A voice vote was taken for the amendment, amendment passed.

A **Do PASS as Amended** motion was made by Sen. Bowman seconded by Sen. Grindberg.

**Sen Andrist** My main concern with the bill is because it takes the money from registration fees.

I think we should defeat this bill and wait for something better.

**Sen. Thane:** I live within a mile of Minnesota, I don't think many people will buy gas cheaper.

They are not paying much attention to gas prices, they are however paying much attention to registration fees.

A roll call vote was taken for a **Do PASS as AMENDED**. Motion failed 2 yeas, 13 nays.

A motion for a **DO NOT PASS**, was made by Sen. Bowman, seconded by Sen. Andrist. It pass with 11 yeas to 4 nays. Sen. Thane will carry this bill.

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2255

Page 7, line 25, after "fund" insert "and is not considered part of net collections under section 57-39.2-26.1"

Page 7, line 28, replace "1" with "4"

Renumber accordingly

Date 2-14-05  
Roll Call Vote #: 1

2005 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. SB 2255

Senate SENATE APPROPRIATIONS Committee

Check here for Conference Committee

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

Action Taken Do Pass as Amended

Motion Made By B Seconded By \_\_\_\_\_

Senators	Yes	No	Senators	Yes	No
CHAIRMAN HOLMBERG		✓	SENATOR KRAUTER		✓
VICE CHAIRMAN BOWMAN		✓	SENATOR LINDAAS		✓
VICE CHAIRMAN GRINDBERG		✓	SENATOR MATHERN		✓
SENATOR ANDRIST		✓	SENATOR ROBINSON		✓
SENATOR CHRISTMANN		✓	SEN. TALLACKSON		✓
SENATOR FISCHER		✓			
SENATOR KILZER	✓				
SENATOR KRINGSTAD	✓				
SENATOR SCHOBINGER		✓			
SENATOR THANE		✓			

Total (Yes) 2 No 13

Absent \_\_\_\_\_

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

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

Date 2-14-05  
 Roll Call Vote #: 2255

**2005 SENATE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. SB**

Senate SENATE APPROPRIATIONS Committee

Check here for Conference Committee

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

Action Taken DNP

Motion Made By B Seconded By A

Senators	Yes	No	Senators	Yes	No
CHAIRMAN HOLMBERG	✓		SENATOR KRAUTER	✓	
VICE CHAIRMAN BOWMAN	✓		SENATOR LINDAAS	✓	
VICE CHAIRMAN GRINDBERG	✓		SENATOR MATHERN		✓
SENATOR ANDRIST	✓		SENATOR ROBINSON	✓	
SENATOR CHRISTMANN	✓		SEN. TALLACKSON		✓
SENATOR FISCHER	✓				
SENATOR KILZER	⊗	✓			
SENATOR KRINGSTAD		✓			
SENATOR SCHOBINGER	✓				
SENATOR THANE	✓				

Total (Yes) 11 No 4

Absent 0

Floor Assignment Thane

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

REPORT OF STANDING COMMITTEE (410)  
February 14, 2005 3:53 p.m.

Module No: SR-29-2824  
Carrier: Thane  
Insert LC: . Title: .

**REPORT OF STANDING COMMITTEE**

SB 2255, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman)  
recommends **DO NOT PASS** (11 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING).  
Engrossed SB 2255 was placed on the Eleventh order on the calendar.

**2005 TESTIMONY**

SB 2255

TESTIMONY OF SEN. THOMAS L. TRENBEATH  
IN SUPPORT OF SB 2255

Mr. Chairman, members of the committee, for the record my name is Tom Trenbeath and I am the state senator representing District 10, which comprises most of Pembina County, All of Cavalier County, and about two-thirds of Towner County.

Once again we are here charged with the responsibility of providing matching funds for increased federal highway funds. This time, however, it's a little different in that the target is on the move. We really have only estimates of the amount of funding there will be offered and, therefore, how much of a matching challenge we actually have.

The usual methods are being brought forth and debated informally and in committee: Raise the gas tax; raise vehicle registration fees; raise the excise tax of vehicle sales. Each of these methods has its champions and its detractors. Although I am not inalterably opposed to any of the suggested methods, I feel that SB2255 presents the best opportunity for raising matching funds without inordinate objection from the public.

Collections from the present 5% vehicle excise tax have risen over 20% since 2001. In that year total collections were \$58,500,000. In 2005 they are projected to be \$71,026,000. Most of this money presently goes to the general fund, not to our highways. An increase of  $\frac{1}{2}$  of 1% in this tax will provide over \$14,000,000 for highway construction over the next biennium. The increase to the average new car buyer will be comparatively small and a one time hit. The increased expense on the purchase of a \$30,000 vehicle purchase will be \$150.00. If you want to think of it in a different sense, if you financed that vehicle over four years, your payment would increase by about 30 cents.

Gentlemen, the farmers don't like the vehicle registration increase, and the petroleum dealers and general public don't want the price of gas to increase. This makes good sense.

Thank you, and I will answer all of your questions to your complete satisfaction.

Tom Trenbeath



**Administration:**

1101 1<sup>st</sup> Ave N  
Fargo, ND 58102  
P.O. Box 2064  
Fargo, ND 58107-2064  
701-298-2200 • 1-800-367-9668  
Fax: 701-298-2210

**State Headquarters:**

4023 State St  
Bismarck, ND 58503  
P.O. Box 2793  
Bismarck, ND 58502-2793  
701-224-0330 • 1-800-932-8869  
Fax: 701-224-9485

---

**North Dakota Farm Bureau**

[www.ndfb.org](http://www.ndfb.org)

**Testimony of North Dakota Farm Bureau  
On SB 2255  
Before the Senate Transportation Committee  
January 27, 2005  
Eric Aasmundstad, President**

Good morning Chairman Trenbeath and members of the Senate Transportation Committee. My name is Eric Aasmundstad and I am representing the 27,500 member-families of North Dakota Farm Bureau. We would like to go on record in support of Senate Bill 2255.

Every session the Legislature struggles to find a solution to the problem of finding enough tax money to match federal highway funds. It is estimated that the state will need an addition \$14.5 million in tax revenue to match the 2005-2007 federal allocations.

Last session, the Legislature chose to increase vehicle registration fees by \$3 to meet the required match. This session, bills will be debated to increase the gas tax, to increase the vehicle registration fee and this bill, to increase the motor vehicle excise tax.

Each option has its shortfalls. Increasing the gas tax hits those in rural areas hard, that have to drive long distances for groceries, to get to work and to get their children to and from school activities. Furthermore, an increase in the gas tax will adversely affect fuel providers in bordering states.

Currently our gas tax is virtually the same as in Minnesota, so an increase in the gas tax will likely cause residents to cross the border to purchase gas, causing loss of revenue to North Dakota businesses.

Increasing vehicle registration fees unfairly hits agriculture. Farmers generally own several vehicles, many of which are driven very limited miles each year. We understand, appreciate and support the state's efforts to match all the federal highway funds that we can. All of us want good quality, safe roads.

We appreciate Senator Trenbeath in developing this innovative approach and believe it has significant merit. His proposal to increase the motor vehicle excise tax by one-half of

*One future. One voice.*

one percent would generate the amount of money projected to meet the federal match. Of the three potential sources of funding that I've talked about the motor vehicle excise tax is the only source of revenue that is growing. Revenue from the other two sources is virtually flat.

We believe Senator Trenbeath's plan can be implemented without a tax increase. All revenue from motor vehicles excise taxes is currently is deposited in the general fund. We propose that one half of one percent of revenue from the motor vehicle excise tax be dedicated for road projects. Proceeds should be evenly divided between the highway distribution fund and the highway trust fund so that all government jurisdictions obtain an equitable share.

It has been widely reported that the state has a surplus of around \$200 million. Let's use a small portion of these funds to fulfill our match requirements. We can do so without a tax increase and that's the right thing to do.

Thank you Mr. Chairman. I would stand for any questions.