

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1262

2007 HOUSE TRANSPORTATION

HB 1262

## 2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1262

House Transportation Committee

Check here for Conference Committee

Hearing Date: 01-23-2007

Recorder Job Number: 1739

Committee Clerk Signature

*Suzanne M. Thomas*

Minutes:

**Chairman Weisz opened the hearing on HB 1262. Rep. Dosch was absent.**

**HB 1262 relates to number plates.**

**Rep. Belter** introduced the bill.

**Rep. Belter:** HB 1262 would change our requirement of having two license plates on a vehicle.

Today's modern cars are no longer designed for front license plates. In fact, some of them no longer even have holes drilled in the front bumper and the dealers have to put holes in the bumpers in order to put these plates on. We in North Dakota are very unique in the fact that our front bumpers are often full of bugs. You probably notice how your bumper is either bent from hitting a snow bank or a curb. It's a huge expense to the state. Many vehicles that are being built today that the installation of a front bumper is an after thought. Motorcycles are not required to have a front license plate. Three of my collector cars are corvettes. As a municipal judge for sixteen years, I realize that law enforcement wants the front plate for their reasons. I would like to see the plates eliminated. I have a car that has no front plate and has been on the road for ten years and driven in many states and nobody has questioned it. I thought for years it would be great if we didn't have a front license plate. *(Referring to emails he had received)*

*See attached handout given by Rep. Belter*

There are twenty-eight states that do not require a front a plate. I have the greatest admiration for law enforcement and I know that they are opposed to this, people don't remember license plates numbers in emergencies the way the do remember make and color of vehicle. Today's vehicles are streamlined and they are aerodynamically designed and I think it's time that we streamlined our license plate requirements. I have two amendments that I would give you at this time. *Please see attached amendments*

**Rep. Delmore:** Some of the identification that's done at gas stations and other places are done with video. What do you think the affect would be on some of those if there was only one plate?

**Rep. Belter:** That certainly is a legitimate concern. My answer to that would be, how do twenty-eight other states get by with one plate? By in large, we are probably more crime free than nearly any state in the union. I would think that if Arizona and the Carolina's can get by with one plate at their convenience stores, then we could too.

**Rep. Vigesaa** spoke in support of the bill.

**Rep. Vigesaa:** I am standing before you tonight as an auto dealer. I'm speaking on behalf of some of my customers. We sell new cars and as Rep. Belter mentioned, the new car designs are very sleek and rounded and expensive. I have had several of my customers not want a front plate bracket. The only way to mount that on some of the new cars is to drill a hole in the fascia. These cars are getting pretty expensive and it does pain me when we have to take a drill to some of those cars. I have seen many times when the drilling done by the technician is not perfect.

**Bruce McCollom**, spoke in support of the bill on his own behalf.

**McCullom:** I am a corvette owner. I have researched this and it comes down to dollars vs. law enforcement wanting the second tag. My take on the thing is in the interest of spending our dollars wisely, my suggest is, is the cost of the second tag worth it? Take the money for the cost of the second tag, which I see is about a half million dollars per biennium. My suggestion that would be in the highway patrol fund and they are given the option of using that for a second tag or for something else. That is my contribution. Thank you.

**There was no further support for the bill. Chairman Weisz allowed opposition at this time.**

**John Olson**, North Dakota Peace Officers Association, spoke in opposition to this bill. See attached.

**Rep. Ruby:** Do you have any comparison statistics of recovered vehicles or vehicles stolen compared to the states that have just one.

**Olson:** I don't have that with me. I don't think that would be difficult to get.

**Rep. Schmidt:** Do you know of any states that have gone to one plate and gone back to two?

**Olson:** I don't know that for a fact.

**Brian Klipfel**, North Dakota Highway Patrol, spoke in opposition to the bill. See attached testimony.

**Mike Rud**, North Dakota Petroleum Marketers Associations, opposed the bill. See attached testimony.

**LaRayne Haakenson**, Stalmart, spoke in opposition to the bill.

**Haakenson:** I am the area supervisor for Stalmart stores in Bismarck-Mandan.

If you pass this bill, gasoline theft will most certainly increase as you have heard. Stalmart has nine stores in North Dakota and in the month of December alone, we have suffered about twenty-five hundred dollars in fuel theft. However, in the store as we currently have cameras

outside, we were able to collect approximately eighty to ninety percent of the losses. If you take away that front license plate, you eliminate any recovery of those losses. According to the national association of convenience stores, the average loss per store for 2005 was two thousand six hundred seventy-eight dollars and that number would certainly increase. In fact over three billion dollars in losses in the year 2005 occurred nationally. If you pass this bill, you will encourage criminal activity. You will take all the risk out of gasoline theft even in stores with cameras, because more people who are inclined to steal will take advantage of this. I would bet that gas theft will more than double. Our company would then stand to lose fifty to sixty thousand dollars per year. We are also very concerned that the lack of a front plate will encourage criminal to be more brazen at our stores and commit more serious crimes such as robbery, putting our clerks in danger. Convenience store owners would also be discouraged from installing outside surveillance in the first place, creating more issues with employees. We recently twenty thousand dollars worth of outside surveillance equipment at our east truck stop and we certainly would not have done it without the front plates. If you pass this bill, you take away the ability of convenience stores and law enforcement to work hand in hand to solve these crimes. What if there was an Amber Alert? How would any of us feel wondering if even one child could have been saved by the clerk or video of the drive-off that provided the plate number. If you pass this bill, it will hurt the employees. Most c-store managers receive part of their wages based on bottom line profit of their store. With increase in gasoline theft that will occur, profits will be lower and so will the paychecks of these employees. Store managers will receive less pay for doing the same amount of work. I have heard that the state will save about five hundred thousand dollars by not issuing two plates, however, the plates are produced by Roughrider Industries, which is an entity and the number that I have is that they will lose about three hundred fourteen in lost revenue for producing these plates so the way I did the math, it

seems that the state would only be saving one hundred eighty six thousand dollars. About seven hundred twenty thousand licensed vehicles in this state, why not just charge everybody an extra dollar? Better yet, why not just switch from renewing these plates from every five years, to every ten years? We just think there are better, safer, more sensible alternatives than eliminating the front license plate requirement.

**Rep. Weisz:** How much has gasoline them gone up since the rise in price per gallon?

**LaRayne:** I don't have an exact number for that.

**There were no further questions from the committee. There was no further opposition to the bill. The hearing was closed. No action was taken at this time.**

**FISCAL NOTE**  
**Requested by Legislative Council**  
01/10/2007

Bill/Resolution No.: HB 1262

**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.*

	2005-2007 Biennium		2007-2009 Biennium		2009-2011 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
<b>Revenues</b>				\$314,556		\$314,556
<b>Expenditures</b>				(\$499,295)		(\$499,295)
<b>Appropriations</b>				(\$499,295)		(\$499,295)

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

2005-2007 Biennium			2007-2009 Biennium			2009-2011 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
			\$114,838	\$69,901		\$114,838	\$69,901	

**2A. Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

This bill will establish a single plate per vehicle requirement.

**B. Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

The cost of producing a single plate per vehicle is approximately 77.70% of the cost currently incurred for the two plate system. This is due to both a cost increase for single plates and loss of price reduction for plate pairs. Additionally, all vehicles do not currently required two plates. This bill would only impact those vehicles that currently have two plates. The cost reduction per biennium would be approximately 500,000.

**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.*

The reduction in cost would leave \$499,295 more funding in the Highway Distribution Fund which would be available for distribution to the DOT (63% share = \$314,556), Counties (23% share = \$114,838), and Cities (14% share = \$69,901).

**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 cost reduction would equate to approximately \$250,000 per year in reduced plate cost. No reduction would occur in staffing or other associated costs. The workload and processes currently utilized would remain. There would be a slight reduction in postage due to reduced weight, however that amount would be negligible and the number of items mailed would not decrease.

**C. Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.*

Because of the reduction in expenditures, the DOT appropriation for Motor Vehicle could be reduced by \$499,295 for the 2007-2009 biennium.



<b>Name:</b>	Lorrie Pavlicek	<b>Agency:</b>	NDDOT
<b>Phone Number:</b>	328-2725	<b>Date Prepared:</b>	01/13/2007

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1262

Page 1, line 1, after the first comma insert "39-04-10.3,"

Page 1, after line 11, insert:

**"SECTION 2. AMENDMENT.** Section 39-04-10.3 of the North Dakota Century Code is amended and reenacted as follows:

**39-04-10.3. Personalized plates.** The department may, ~~in its discretion,~~ provide a special license ~~plates~~ plate marked with not more than seven numerals, letters, or ampersands, or combinations of numerals, letters, and ampersands, at the request of the registrant, upon application ~~therefor for the plate,~~ and payment of an additional fee of twenty-five dollars per registration period. Upon request, the department shall provide a registrant of a motor vehicle two special license plates. The department shall make the special license plates authorized by this section available for motor vehicles registered under section 39-04-10.6, trailers, travel trailers, and motorcycles. The fee for ~~the a~~ special license ~~plates~~ plate issued under this section for vehicles registered under section 39-04-10.6 is a one-time fee of one hundred dollars. The special license plates for motorcycles may contain not more than six numerals, letters, or ampersands, or a combination of not more than six numerals, letters, and ampersands. In the event of sale or transfer of the vehicle, the owner must remove the special license ~~plates~~ plate in accordance with section 39-04-36. Upon payment of the applicable transfer fee, the special license ~~plates~~ plate may be transferred to a replacement motor vehicle."

Re-number accordingly

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1262

Page 1, line 2, after "plates" insert "; and to provide for application"

Page 2, after line 31, insert:

**"SECTION 4. APPLICATION.** The department shall issue one number plate, instead of two number plates, beginning with the next general issuance of number plates."

Renumber accordingly

Date: 2-1-07  
Roll Call Vote #: 1

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 1262

House Transportation Committee

Check here for Conference Committee

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

Action Taken Do Pass

Motion Made By Owens Seconded By Sukut

Representatives	Yes	No	Representatives	Yes	No
Chairman Weisz	✓		Rep. Delmore		✓
Vice Chairman Ruby	✓		Rep. Gruchalla		✓
Rep. Dosch			Rep. Myxter		✓
Rep. Kelsch		✓	Rep. Schmidt		✓
Rep. Owens	✓		Rep. Thorpe		✓
Rep. Price		✓			
Rep. Sukut	✓				
Rep. Vigesaa	✓				

Total Yes 5 No 7

Absent 1

Floor Assignment Motion failed

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

Date: 2-1-07  
 Roll Call Vote #: 2

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
 BILL/RESOLUTION NO. 1262

House Transportation Committee

Check here for Conference Committee

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

Action Taken Do Not Pass

Motion Made By Price Seconded By Gruchalla

Representatives	Yes	No	Representatives	Yes	No
Chairman Weisz		✓	Rep. Delmore	✓	✓
Vice Chairman Ruby		✓	Rep. Gruchalla	✓	✓
Rep. Dosch	A		Rep. Myxter	✓	✓
Rep. Kelsch	✓		Rep. Schmidt	✓	✓
Rep. Owens		✓	Rep. Thorpe	✓	
Rep. Price	✓				
Rep. Sukut		✓			
Rep. Vigesaa		✓			

Total Yes 7 No 5

Absent \_\_\_\_\_

Floor Assignment Gruchalla

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

Date: 2-1-07  
Roll Call Vote #: 3

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 1262

House Transportation Committee

Check here for Conference Committee

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

Action Taken Reconsider Action - voice vote

Motion Made By Owens Seconded By Ruby

Representatives	Yes	No	Representatives	Yes	No
Chairman Weisz			Rep. Delmore		
Vice Chairman Ruby			Rep. Gruchalla		
Rep. Dosch			Rep. Myxter		
Rep. Kelsch			Rep. Schmidt		
Rep. Owens			Rep. Thorpe		
Rep. Price					
Rep. Sukut					
Rep. Vigesaa					

Total Yes \_\_\_\_\_ No \_\_\_\_\_

Absent Motion Failed

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

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

**REPORT OF STANDING COMMITTEE**

**HB 1262: Transportation Committee (Rep. Weisz, Chairman) recommends DO NOT PASS**  
(7 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). HB 1262 was placed on the  
Eleventh order on the calendar.

2007 TESTIMONY

HB 1262



Rep. Belter

### Section 4: License Plates

#### 1. How many license plates does your jurisdiction require?

One -- 28 jurisdictions

- |                    |                       |                      |
|--------------------|-----------------------|----------------------|
| Alabama            | Kansas                | Oklahoma             |
| Alberta            | Kentucky              | Pennsylvania         |
| <del>Arizona</del> | Louisiana             | Prince Edward Island |
| Arkansas           | Manitoba              | Quebec               |
| Connecticut        | Michigan              | South Carolina       |
| Delaware           | Mississippi           | Tennessee            |
| Florida            | New Mexico            | West Virginia        |
| Georgia            | North Carolina        | Yukon Territory      |
| Idaho              | Northwest Territories |                      |
| Indiana            | Nova Scotia           |                      |

Two -- 38 jurisdictions

- |                      |               |              |
|----------------------|---------------|--------------|
| Alaska               | Massachusetts | Ontario      |
| British Columbia     | Minnesota     | Oregon       |
| California           | Missouri      | Rhode Island |
| Colorado             | Montana       | Saskatchewan |
| Connecticut          | Nebraska      | South Dakota |
| District of Columbia | Nevada        | Texas        |
| Hawaii               | New Brunswick | Utah         |
| Idaho                | New Hampshire | Vermont      |
| Illinois             | New Jersey    | Virginia     |
| Iowa                 | New York      | Washington   |
| Maine                | North Dakota  | Wisconsin    |
| Manitoba             | Nova Scotia   | Wyoming      |
| Maryland             | Ohio          |              |

Comments

- |                  |  |
|------------------|--|
| Alberta          | Personalized plates are issued in pairs.   |
| Arizona          | Personalized plates and special plates.  |
| British Columbia | One plate for motorcycle, ATV (restricted), trailer, manufacturer, demonstration, transporter, repairman and vintage.  |
| California       | One plate for truck tractors, trailers, motorcycles and special equipment.   |
| Colorado         | Except for proportionally registered vehicles, non-motorized vehicles, ATVs, motorcycles or mopeds.  |
| Delaware         | Personalized plates are issued with an association to the license number plate.  |
| Florida          | Two plates are required on trucks with a gross vehicle weight of 26,001 lbs. or more.  |
| Georgia          | Exceptions are disabled veterans, handicapped veterans plates  |
| Idaho            | One plate only for motorcycles, ATVs or semi-trailers; vehicles operated by a manufacturer, repossession agent, or dealer; vehicles displaying year of manufacture, street rod, old timer or classic plates. |
| Kansas           | Personalized are issued in pairs. The auto owner has the option to display one or both plates. (2002 legislation).   |
| Maryland         | One plate only for trailers, motorcycles and tractor-trailers.   |

