

MICROFILM DIVIDER

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



ROLL NUMBER

DESCRIPTION

13999

2007 HOUSE TRANSPORTATION

HB 1399

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

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES
 BILL/RESOLUTION NO. 1399

House Transportation Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass & refer to Approps.

Motion Made By Owens Seconded By Thorpe

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 12 No 0

Absent 1

Floor Assignment Owens

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

*No House
 Transport bill
 minutes found
 8-8-07*

REPORT OF STANDING COMMITTEE

HB 1399: Transportation Committee (Rep. Weisz, Chairman) recommends DO PASS and BE REREFERRED to the Appropriations Committee (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1399 was rereferred to the Appropriations Committee.

2007 HOUSE APPROPRIATIONS

HB 1399

4/10/7

HB 1399 Cars

No

typed

minutes

found

Weiss

Presented bill

Made up of 9 western states to provide uniformity w/ vehicle size and weight stds.

Attch would benefit by belonging. Does me \$5,000/yr.

\$10,000 appropriation

~~W~~

W - Did you pay higher fee to attend?

Weiss There was no charge for me to attend

Klein Belonged before?

Weiss No

Nelson No Pass >

Klein 2nd

Shaydolt - hear tape - more to amend bill substitute motion.

Weiss

It would state if ND that joins not DOT

Monson - Should be in DM3 then, not LC.

Date: 2/6/07
 Roll Call Vote #: 1

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1399

House Appropriations Full Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken No Pass

Motion Made By Nelson Seconded By Klein

Representatives	Yes	No	Representatives	Yes	No
Chairman Svedjan					
Vice Chairman Kempenich					
Representative Wald			Representative Aarsvold		
Representative Monson			Representative Gulleon		
Representative Hawken					
Representative Klein					
Representative Martinson					
Representative Carlson			Representative Glasheim		
Representative Carlisle			Representative Kroeber		
Representative Skarphol			Representative Williams		
Representative Thoreson					
Representative Pollert			Representative Ekstrom		
Representative Bellow			Representative Kerzman		
Representative Kreidt			Representative Metcalf		
Representative Nelson					
Representative Wieland					

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

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

*Substitute
Motion*

Date: 2/6/07
Roll Call Vote #: 2

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1399

House Appropriations Full Committee

Check here for Conference Committee

Legislative Council Amendment Number funding for fee would be
exp. to LC NOT DOT

Action Taken _____

Motion Made By Skarphol Seconded By Kroeber

Representatives	Yes	No	Representatives	Yes	No
Chairman Svedjan					
Vice Chairman Kempenich					
Representative Wald			Representative Aarsvold		
Representative Monson			Representative Gulleason		
Representative Hawken					
Representative Klein					
Representative Martinson					
Representative Carlson			Representative Glassheim		
Representative Carlisle			Representative Kroeber		
Representative Skarphol			Representative Williams		
Representative Thoreson					
Representative Pollert			Representative Ekstrom		
Representative Bellew			Representative Kerzman		
Representative Kreidt			Representative Metcalf		
Representative Nelson					
Representative Wieland					

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

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

Vote - carries

Date: 2/6/07
 Roll Call Vote #: 3

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1399

House Appropriations Full Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken No Pass as Amended

Motion Made By Skarphol Seconded By Thoren

Representatives	Yes	No	Representatives	Yes	No
Chairman Svedjan	✓				
Vice Chairman Kempenich	✓				
Representative Wald	✓		Representative Aarsvold	✓	
Representative Monson	✓		Representative Gulleon	✓	
Representative Hawken	✓				
Representative Klein		✓			
Representative Martinson	✓				
Representative Carlson	✓		Representative Glassheim	✓	
Representative Carlisle	✓		Representative Kroeber	✓	
Representative Skarphol	✓		Representative Williams	✓	
Representative Thoreson	✓				
Representative Pollert	✓		Representative Ekstrom	✓	
Representative Bellew	✓		Representative Kerzman	✓	
Representative Kreidt	✓		Representative Metcalf	✓	
Representative Nelson	✓				
Representative Wieland	✓				

Total (Yes) 21 No 1

Absent 2

Floor Assignment Wising

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

2007 SENATE APPROPRIATIONS

HB 1399

2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 1399

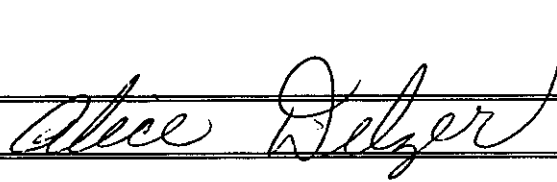
Senate Appropriations Committee

Check here for Conference Committee

Hearing Date: 03-08-07

Recorder Job Number: 4742

Committee Clerk Signature



Minutes:

Chairman Holmberg opened the hearing on HB 1399 at 2:35 pm on March 8, 2007 regarding DOT to join the multistate highway transportation agreement.

Representative Robin Weisz, District 14, gave oral testimony in support of HB 1399. He gave a brief overview of the bill stating that this bill would help move products safely and economically over the highway system. He stated he thought it is important that we join. There are 9 states that are a part of this group, It is well worth the \$10,000 investment. If you look at the interstate infrastructure you can see the freight industry is going up. DOT has been attending meetings and keeping informed concerning joining the Multi-State Highway Transportation Agreement (MHTA) and what they can do for the state of North Dakota.

Chairman Holmberg stated that this will be taken up after we hear the DOT bill.

Senator Christmann had questions regarding the other states involved and will we be accommodating them. He was informed that it includes Arizona, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah and Wyoming. It is an industry that works with DOT people from these 9 states (10 if we join) addressing issues (such as permits) in the freight industry, asking if there is some way we can work together. We need some flexibility to make some changes, so it's a matter of having a voice is some issues.

Chairman Holmberg asked about the overlap of **DOT** with the National Conference of State Legislatures (NCSL) and this bill. He was told he didn't see any. The NCSL represents all 50 states. There is no similarity between the eastern states and us. He stated we belong to WASHTO and this group seems more concerned with the roads, weights, and more of moving the goods in traffic.

Senator Christmann asked how much those organizations are costing us. He was informed that we also belong to the Midwest Rail Compact too, and he is not sure what any of these fees are to belong to these organizations.

Chairman Holmberg asked the Legislative Council to prepare that information as to what we belong to.

Senator Grindberg asked if there was any truth to the talk about a Super Highway from Mexico to Canada. He was told that there is no consortium that going from Mexico through the Red River Valley to Canada. That whole idea came from the state of Texas, and they are looking at this corridor. But, this group does look at how do we get the free flow of goods from our Canadian friends down to Mexico.

Senator Krauter stated that he and Senator Wardner were involved with the Midwest Legislative Conference and it has two missions:

1. We work on issues that really affect us as a region.
2. It brings the executive branch along with the legislative branch to discuss these issues.

He wanted to know if there is any similarity between the two groups. He was told there could be overlap but he pointed out that this is a narrowly focused group, dedicated to transportation issues and moving the goods. We are a bulk commodity state, oil, grain, moving hay across the state, federal regulations. He stated it doesn't make any sense that Montana weight limitations are different than North Dakota's , even though it is the same interstate. It is a hindrance to

move the goods efficiently, safely and economically. Those are the types of issues this group addresses. We have a commonality with other western states and we can work together with these western states to address these issues.

Senator Bowman stated we've been involved in an organization that supports the plains. It originated from Texas up to Denver, Co. From Denver they wanted to move north and we got involved for about 4 years and we got a designation as a Teddy Roosevelt Trade Corridor so that it would connect that highway system with western North Dakota and the reason for that is we move a lot of pipeline Should you have a different restriction when you go across a state line? There is an advantage to have all of them the same so we've been working with this group and it is beneficial. He was told that MHTA is working on a trade corridor and it would go up through US HY 85 and there has been some pilot work from the federal government on that. He stated it would be a 4 lane, start at Mexican border, run up through western ND, and west into Montana to the Canadian border.

Mark Larson, Multi-State Highway transportation Agreement (MHTA) presented written testimony (1 and 2) and oral testimony in support of HB 1399.

Senator Fischer asked if there was any thing binding if we join this organization. He was told there is not.

Grant Levi, Deputy Director for Engineering for NDDOT presented written testimony (3) and oral testimony in support of HB 1399. He stated DOT supports the bill.

Chairman Holmberg asked if the money would be taken out of his budget.

Senator Krauter asked about research being done before we join.

Chairman Holmberg made comments regarding the Legislature needs to have a vote. It is in the bylaws by statute. The hearing was closed on HB 1399. Written testimony (4) was distributed after the hearing from Tom Balzer, NDMCA in support of HB 1399.

2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 1399

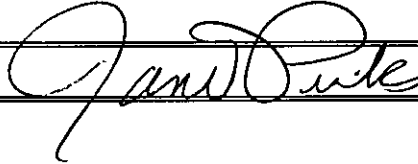
Senate Appropriations Committee

Check here for Conference Committee

Hearing Date: 03-23-07

Recorder Job Number: 5538

Committee Clerk Signature



Minutes:

Chairman Holmberg opened the hearing on HB 1399.

Senator Krauter moved to have without committee recommendation, seconded by Senator Lindaas. No discussion followed. A roll call vote was taken resulting in 10 yes, 2 no, 2 absent.

The motion carried and Senator Holmberg will carry the bill.

Chairman Holmberg closed the hearing on HB 1399.

Date:
Roll Call Vote #:

2007 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO.

1399

Senate Appropriations Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken WO Comm Rec

Motion Made By Math Seconded By Lindaas

Senators	Yes	No	Senators	Yes	No
Senator Ray Holmberg, Chrm	✓		Senator Aaron Krauter	✓	
Senator Bill Bowman, V Chrm	✓		Senator Elroy N. Lindaas	✓	
Senator Tony Grindberg, V Chrm	✓		Senator Tim Mathern	✓	
Senator Randel Christmann			Senator Larry J. Robinson	✓	
Senator Tom Fischer	✓		Senator Tom Seymour	✓	✓
Senator Ralph L. Kilzer	✓	✓	Senator Harvey Tallackson		
Senator Karen K. Krebsbach	✓				
Senator Rich Wardner	✓				

Total (Yes) 10 No 2

Absent 2

Floor Assignment Holmberg Trans

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

REPORT OF STANDING COMMITTEE (410)
March 23, 2007 5:25 p.m.

Module No: SR-55-6137
Carrier: Holmberg
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1399, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman)
recommends **BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION**
(10 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). Engrossed HB 1399 was placed
on the Fourteenth order on the calendar.

2007 TESTIMONY

HB 1399

HOUSE TRANSPORTATION COMMITTEE

February 1, 2007

**North Dakota Department of Transportation
Grant Levi, P.E., Deputy Director for Engineering**

HB 1399

Good afternoon, Mr. Chairman and members of the committee. I'm Grant Levi, Deputy Director for Engineering for the North Dakota Department of Transportation. Thank you for allowing me the opportunity to present information to you today. I'm here to testify in support of HB 1399.

The Department of Transportation has, as part of its strategic plan, an initiative to enhance the harmony and compatibility of truck movements and truck size/weight laws and regulations with respect to interstate and intrastate movements. The work undertaken by the Multi-state Highway Transportation Agreement (MHTA) is precisely in line with our initiative.

Western states share unique transportation challenges. MHTA recognizes the challenges faced by rural western states and seeks to improve communication between state legislators, state administrators, and private industries. The diverse make-up of state legislators, state government officials, and private industry, collaborating and seeking consensus on the many varied and complex issues facing all western states, is exactly what is needed to overcome the obstacles and barriers to a more efficient state, regional, and national transportation system.

MHTA seeks to foster cooperation among western states on a variety of highway-related issues, including: truck size, weight, and permitting; highway safety; cooperative state highway administration; and improved commercial vehicle safety inspections.

It is only through cooperative efforts, such as those promoted by MHTA, that we can achieve changes in law or policy by the United States Congress which meet this region's economic needs. Therefore, I recommend a Do Pass for HB 1399.

Thank you again for the opportunity to address you today. I would be happy to answer any questions you may have at this time.

MULTI-STATE HIGHWAY TRANSPORTATION AGREEMENT

Created by statute and dedicated to the safe, efficient movement of people and goods

Arizona Colorado Idaho Montana Nevada New Mexico Oregon Utah Wyoming

February 1, 2007

Representative Robin Weisz, Chairman
House Transportation Committee
North Dakota State Capitol
600 East Boulevard
Bismarck, ND 58505-0360

*Some
given to
Senate
Transportation*

Dear Chairman Weisz,

Thank you for allowing me to present to the House Transportation Committee information relative to your bill authorizing North Dakota to join the Multistate Highway Transportation Agreement (MHTA). Attached is a paper explaining what MHTA is and a compilation of 2006 and earlier resolutions and model legislation that members have carried back to their respective states for passage. A copy of the *Headway* magazine is also enclosed for committee member review.

Rep. Weisz, I sincerely appreciate your carrying this important legislation that will allow North Dakota to join nine other western states in the MHTA. The Agreement has received many accolades regionally and nationally for its unique approach at bringing together state legislators, state agencies and private industry in addressing the increasing number of highway transportation issues facing the states. As your committee well understands, there are significant state and federal issues that must be address in short order if our states are to remain vibrant economically. Western states in particular have an incredible amount at stake as Congress begins focusing on the budget deficit and future funding for highways. Uniformity issues, capacity constraint recognition, and the simple fact that western states are much different than our eastern colleagues are prime examples of the need for MHTA. I honestly believe the MHTA will play a crucial role as these issues and the 2009 reauthorization are addressed.

As immediate past chairman of MHTA, former Ranking Member of the Colorado House Transportation Committee and life long western United States private industry transportation business owner, I strongly urge that North Dakota join the MHTA and help us forge an even stronger voice for western states on highway transportation issues. I have every confidence that North Dakota will benefit greatly from joining the Agreement. Thank you for carrying this authorizing legislation and thank you to the committee for their serious consideration. I sincerely hope the committee sees its way clear to forward this important measure.

Sincerely,



Mark Larson, Past Chairman
Multistate Highway Transportation Agreement

President
Rep. Mark Larson
Colorado

Vice President
Sen. Dennis Nolan
Nevada

Secretary
Sen. Vicki Cocchiarella
Montana

Treasurer
Rep. JoAn Wood
Idaho

At Large
Rep. Gary Pierce
Arizona

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mhta2@cox.net

What is MHTA?

Currently nine western states have joined an alliance designed to foster cooperation on a variety of highway-related issues, including truck size and weight, highway safety, cooperative state highway administration and improved commercial vehicle safety inspections. The alliance, known as the Multi-State Highway Transportation Agreement (MHTA), recognized the unique transportation challenges faced by rural western states and was intended to improve communication between state legislators, state administrators and private industry.

In 2001, this statutory Alliance formalized itself by incorporating, redefining its goals and purposes and setting forth operating procedures to:

- * Cooperatively work to collect, correlate, analyze and evaluate information on transportation of its members impacting the jurisdictions and the motor carrier industry;
- * Recommend and encourage the undertaking of research and testing of commercial vehicle combinations when, in their opinion, sufficient research or testing has not been undertaken;
- * Recommend changes in law or policy which would promote effective governmental action or coordination in the field of size and weight related matters and the action of the United States Congress enacting developing transportation networks that are safe, efficient, environmentally sound and which meet the region's economic needs.

MHTA meets these goals and objectives by performing the following activities:

- * Coordinates two annual information sessions to inform its members and interested organizations and companies of present circumstances of interest.
- * Develops, debates and distributes Resolutions of support for state and national policy with respect to the safe and efficient movement of goods between states.
- * Develops and distributes model legislation designed to assist member states in adopting legislation to further the goals and objectives of MHTA.
- * Publishes an Annual Report designed to inform members and non-members of the activities of MHTA.

MHTA supports a small contracted staff of three consultants by collecting dues from the member states, which have passed enabling legislation making that state a member.

Dues are also collected from Industry members (state trucking associations and carriers) who take a particular interest in the matters affecting interstate commerce and who provide information to the members for their consideration. Any state passing enabling legislation can become a member. Affiliate members are non-voting companies or organizations interested in the goals and objectives of the MHTA.

MHTA is governed by a Cooperating Committee who are state legislators who chair their respective House and Senate Transportation Committees. MHTA is incorporated for the purpose of providing administrative support and continuity for its activities, known as MHTA, Inc. The board of directors are the officers of the Cooperating Committee.

Resolutions Adopted by MHTA in 2006

Resolution 2006-601 in support of reasonable and voluntary model legislation intended to promote consistent idling laws.

Resolution 2006-602 in support of legislation to set load limits for wide-base single tires.

Resolution 2006-603 urges reasonable and fair interpretation of states commercial drivers license programs by FMCSA relating to an administrative license suspension programs.

Resolution 2006-604 in support of a coalition to harmonize the regions truck size and weight laws in gaining passage of federal approval to so harmonize longer combination vehicles size and weight standards in western states.

Model Legislation Approved by MHTA in 2006

MHTA Model Legislation – Non-divisible oversize and/or overweight vehicle regional permitting on highways designated by jurisdictions participating in the “western regional permitting agreement.

MHTA Model Legislation - Concerns the authorization for appearance by a commercial vehicle owner, on behalf of a driver, in a court hearing concerning a permit or documentation violation.

MHTA Model Legislation - Concerns the unlawful use of commercial driver's licenses.

MHTA endorsed EPA model idle reduction legislation that would foster greater compliance through common understanding of requirements and ease of implementation, and to raise awareness among the trucking industry, states, and environmental groups about each other's needs.

MHTA Model Legislation- Concerns event data recorded as a motor vehicle feature. requiring motor vehicle manufacturers to disclose that a motor vehicle has an event data recorder prohibiting retrieval of event data from a motor vehicle and lists exceptions including: owner consents; court of administrative agency orders it; peace officer, firefighter, or emergency medical service provider retrieves the data to improve motor vehicle safety, security, or traffic management or for medical research; and others.

MHTA Model Legislation - Concerns allowable loads on super single tire equipment setting forth the maximum allowable weight on a tire having a nominal width of fifteen inches or more and a lower allowable load for tires having a width less than fifteen inches.

SENATE APPROPRIATIONS COMMITTEE

March 8, 2007

**North Dakota Department of Transportation
Grant Levi, P.E., Deputy Director for Engineering**

Engrossed HB 1399

Good afternoon, Mr. Chairman and members of the committee. I'm Grant Levi, Deputy Director for Engineering for the North Dakota Department of Transportation. Thank you for allowing me the opportunity to present information to you today. I'm here to testify in support of Engrossed HB 1399.

The Department of Transportation has, as part of its strategic plan, an initiative to enhance the harmony and compatibility of truck movements and truck size/weight laws and regulations with respect to interstate and intrastate movements. The work undertaken by the Multi-state Highway Transportation Agreement (MHTA) is precisely in line with our initiative.

Western states share unique transportation challenges. MHTA recognizes the challenges faced by rural western states and seeks to improve communication between state legislators, state administrators, and private industries. The diverse make-up of state legislators, state government officials, and private industry, collaborating and seeking consensus on the many varied and complex issues facing all western states, is exactly what is needed to overcome the obstacles and barriers to a more efficient state, regional, and national transportation system.

MHTA seeks to foster cooperation among western states on a variety of highway-related issues, including: truck size, weight, and permitting; highway safety; cooperative state highway administration; and improved commercial vehicle safety inspections.

It is only through cooperative efforts, such as those promoted by MHTA, that we can achieve changes in law or policy by the United States Congress which meet this region's economic needs. Therefore, I recommend a Do Pass for Engrossed HB 1399.

Thank you again for the opportunity to address you today. I would be happy to answer any questions you may have at this time.

H

**TESTAMONY
HOUSE BILL 1399
APPROPRIATIONS COMMITTEE
MARCH 8, 2007**

Mr. Chairman and members of the Senate Appropriations Committee my name is Tom Balzer, managing director of the North Dakota Motor Carriers Association. Unfortunately due to other association business I am unable to testify in person to our support of House Bill 1399.

The Multistate Highway Transportation Agreement is a compact between a growing number of western states to work with each other and the federal government to provide for more consistent weight and length regulations to streamline the movement of freight. Currently each state has a different set of laws that are "frozen" by the federal government barring the states from changing the laws.

The group of states that are members of the Multistate Highway Transportation Agreement are working together in coordination with the Western Association of State Transportation Officers and the Western States Coalition to affect federal legislation to allow for harmonization of truck size and weight laws.

According to a United States Department of Transportation's Comprehensive Truck Size and Weight Study harmonization of state laws would:

- Reduce fuel usage by 12%
- Reduce highway noise by 10%
- Reduce truck emissions by 12%
- Save shippers \$2 billion a year
- Save 25% truck miles traveled
- Reduce truck costs by 4%

Joining this agreement will, in our opinion, prove to be good for the environment, reduce traffic congestion, reduce consumer goods costs and improve the effective movement of freight. More importantly for the state of North Dakota it will improve the growth of the transportation industry in our state which provides more, better paying jobs.

Mr. Chairman and committee members we ask for a DO PASS recommendation on House Bill 1399.

