

2009 SENATE TRANSPORTATION

SB 2149

## 2009 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 2149

Senate Transportation Committee

Check here for Conference Committee

Hearing Date: January 9, 2009

Recorder Job Number: 6743

Committee Clerk Signature

*Jody Hause*

Minutes:

**Senator Gary Lee** called the Transportation Committee to order. Senator Nodland was absent. Senator Lee opened the hearing on SB 2149 a bill relating to motor vehicle registered gross weight.

**Glenn Jackson**, Motor Vehicle Division Director at the ND Department of Transportation, testified in support of SB 2149. See Attachment #1.

**Senator Nething** asked for further explanation on paragraph 5 of Mr. Jackson's written testimony.

**Jackson** clarified that this is the section that talks about the direct affect the restriction of a weight limit will have on certain plates. Plates designated for the National Guard, Firefighters Association, Future Farmers of America, and Public or Nonprofit Organizational Plates. These plates will require an increase in the weight restriction.

**Senator Nething** questioned what is magical about 20,000# limit.

**Jackson** stated that there was nothing magical about 20,000# limit but they discussed this and tried to come up with a figure that would be satisfactory.

**Senator Nething** asked if this would bring in more vehicles by raising it to 20,000#.

**Jackson** said the intention is not to bring in anymore vehicles that were not eligible under the previous 10,000# registered gross weight.

**Senator Potter** just asked for a clarification. He asked if it was precisely equivalent to the current situation; is it just administrative change from gross weight to registered gross weight.

**Jackson** replied, "Yes, that is correct."

**Senator Fiebiger** asked, "What happens if we leave it the way it is? What problems will that create?"

**Jackson** said it will not create any problems because it is a language problem but by changing we want to make sure the limitations and restrictions match. He stated that the bill is more convoluted than complex. It does not make any changes for the citizens of ND. They will not see any difference.

**Senator Lee** closed the hearing on SB 2149.

**Senator Potter** moved for a Do Pass.

**Senator Marcellais** seconded.

Roll call vote, 5-0-1; Senator Nodland was absent.

Senator Potter will carry the bill.

**FISCAL NOTE**  
**Requested by Legislative Council**  
12/23/2008

Bill/Resolution No.: SB 2149

**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.*

	2007-2009 Biennium		2009-2011 Biennium		2011-2013 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures						
Appropriations						

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

2007-2009 Biennium			2009-2011 Biennium			2011-2013 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

**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 has no fiscal impact.

**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.*

This bill has no fiscal impact.

**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.*

**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.*

**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.*

<b>Name:</b>	Shannon L. Sauer	<b>Agency:</b>	NDDOT
<b>Phone Number:</b>	328-4375	<b>Date Prepared:</b>	01/05/2009

Date: 1-9-09  
Roll Call Vote #: 1

2009 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 2149

Senate Transportation Committee

Check here for Conference Committee

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

Action Taken  Do Pass  Do Not Pass  Amended

Motion Made By Senator Potter Seconded By Senator Marcellais

Senator	Yes	No	Senator	Yes	No
Chairman Senator Gary Lee	✓		Senator Tom Fiebiger	✓	
Senator George Nodland			Senator Richard Marcellais	✓	
Senator Dave Nething	✓		Senator Tracy Potter	✓	

Total (Yes) 5 No 0

Absent 1

Floor Assignment Senator Potter

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

**REPORT OF STANDING COMMITTEE**

**SB 2149: Transportation Committee (Sen. G. Lee, Chairman) recommends DO PASS**  
(5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2149 was placed on the  
Eleventh order on the calendar.

2009 HOUSE TRANSPORTATION

SB 2149

# 2009 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. SB 2149

House Transportation Committee

Check here for Conference Committee

Hearing Date: 03/05/09

Recorder Job Number: 10251

Committee Clerk Signature

*Jeanette Cook*

Minutes:

**Glenn Jackson, Director of Drivers License and Traffic Safety Division at the North**

**Dakota DOT**, introduced testimony in support of SB 2149. See attachment #1. He added that the weight that the vehicle fee is charged at is the actual shipping weight. So, because we are doubling it to actually register it, that doesn't mean that the fee doubles. It doesn't.

**Representative Gruchalla:** If your vehicle is registered for 20,000#, and you are hauling 25,000#, are you over the gross weight?

**Glenn Jackson:** Correct.

**Representative Gruchalla:** But that doesn't have anything to do with being overloaded on an axle and won't affect any of those trucks?

**Glenn Jackson:** That is correct. It only gives us one terminology to use in the office when we are discussing the registered gross weight of various vehicles are. It really doesn't affect anybody, except the internal workings of division processing the paperwork.

**Chairman Ruby** confirmed that this weight category would not affect any other weight group.

**Representative Gruchalla:** Could you still register a vehicle for 22,000# if you wanted to, correct?



**Glenn Jackson:** Yes. To repeat, this IS an internal process with the Motor Vehicle Division. It is how we process, it does not change any of the rules for any of the vehicle types, it does not change any fees, it has NO external impact on any citizens. This is a terminology change so that when we are processing these various vehicles, we know that the registered gross weight is the same on all the vehicles. That is the **one** weight that we use to place these vehicles inside the system. It is a common terminology. This is our process today, but the words in the statute don't reflect registered gross weight on every occasion of the statute. There are several places that say gross weight versus shipping weight. We want to standardize it.

There was some general discussion about gross weight.

There was no additional testimony on SB 2149.

**The hearing was closed on SB 2149.**

**Representative R. Kelsch moved a Do Pass** on SB 2149.

**Representative Gruchalla** seconded the motion.

A roll call vote was taken. **Aye 12 Nay 0 Absent 2**

**The motion passed.**

**Representative Vigesaa will carry SB 2149.**

Date: 3/5

Roll Call Vote #: \_\_\_\_\_

**2009 HOUSE STANDING COMMITTEE ROLL CALL VOTES**

BILL/RESOLUTION NO. 2149

House TRANSPORTATION Committee

Check here for Conference Committee

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

Action Taken  Do pass  Don't Pass  Amended

Motion Made By Kelsch Seconded By Gruchalla

Representatives	Yes	No	Representatives	Yes	No
Representative Ruby - Chairman	✓		Representative Delmore	✓	
Rep. Weiler - Vice Chairman	A		Representative Griffin	✓	
Representative Frantsvog	✓		Representative Gruchalla	✓	
Representative Heller	✓		Representative Potter	✓	
Representative R. Kelsch	✓		Representative Schmidt	✓	
Representative Sukut	✓		Representative Thorpe	✓	
Representative Vigasaa	✓				
Representative Weisz	A				

Total Yes 12 No 0

Absent 2

Bill Carrier Vigasaa

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

**REPORT OF STANDING COMMITTEE (410)**  
March 5, 2009 1:01 p.m.

**Module No: HR-40-4112**  
**Carrier: Vigesaa**  
**Insert LC: . Title: .**

**REPORT OF STANDING COMMITTEE**

**SB 2149: Transportation Committee (Rep. Ruby, Chairman) recommends DO PASS**  
(12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2149 was placed on the  
Fourteenth order on the calendar.

2009 TESTIMONY

SB 2149

#  
1

**SENATE TRANSPORTATION COMMITTEE**  
**January 9, 2009**  
**10:30 am Lewis and Clark Room**

**North Dakota Department of Transportation**  
**Glenn Jackson, Motor Vehicle Division Director**

**SB2149**

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Good morning, Mr. Chairman and members of the committee. I'm Glenn Jackson, Motor Vehicle Division Director at the North Dakota Department of Transportation (NDDOT). Thank you for giving me the opportunity to present information to you today.

The North Dakota Department of Transportation pre-filed Senate Bill 2149 as an agency bill. This bill will both standardize the weight that Motor Vehicle uses for registration purposes of pickup trucks, and provide an update on the weight restriction for certain plate types.

Currently, there are several descriptions used for vehicle weight, to include gross weight, gross vehicle weight, shipping weight, and registered weight. NDCC 39-04-19.2.a requires the shipping weight of a pickup to be doubled for a registration weight. This bill seeks to clarify the wording to reflect the actual practice of DOT. We request a change in wording from "gross weight," which implies the actual weight of the vehicle, to "registered gross weight," which is the weight for which the vehicle is registered. As stated previously, the "registered gross weight" is double the shipping weight for a pickup. This change **will not change** any fees owed by the vehicle owner because the fees levied are on the shipping weight at this time.

To illustrate, a 2002 Chevrolet pickup with a shipping weight of 4,858 pounds is registered at two times the shipping weight, so it is 9,716 pounds. Further illustration shows a 2006 Ford Supercrew 4X4 has a shipping weight of 5,324 lbs, so it is registered at 10,648 pounds.

As this change is implemented, however, it directly affects the restriction of a weight limit for certain plates. Plates designated for the National Guard, Firefighters Association, Future Farmers of America, and Public or Nonprofit Organizational Plates will require an increase in the weight restriction. For example, the National Guard plate currently has a restriction to vehicles that do not exceed a gross weight of ten thousand pounds. Currently a pickup that weighs 5,200 pounds is doubled for a registered gross weight of 10,400 pounds. If the registered gross weight restriction is left as is, these drivers will not be able to obtain these plates. It appears the intent was to allow a pickup truck to access these special plates. With the change in terminology to "registered gross weight" to be used at all times, we propose an increase in the weight restriction for these specific plates to 20,000 pounds registered gross weight.

Mr. Chairman, I would be happy to answer any questions at this time. Thank you.

# Attachment #1

## HOUSE TRANSPORTATION COMMITTEE

March 5, 2009, 9:00 am

Fort Totten Room

North Dakota Department of Transportation  
Glenn Jackson, Director, Drivers License & Traffic Safety Division

### SB2149

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