

2011 SENATE TRANSPORTATION

SB 2250

2011 SENATE STANDING COMMITTEE MINUTES

Senate Transportation Committee
Lewis and Clark Room, State Capitol

SB 2250
January 27, 2011
13534

Conference Committee

Haugel

Minutes:

One attached testimony

Senator G. Lee opened the hearing on SB 2250, a bill for an Act to provide for operator's license renewals.

Senator Andrist introduced SB 2250 and said the bill is born out of significant frustration because they have seen licensing services deteriorate for at least five years. He said the four rural counties that he serves have only one place to get a license. It is seventy miles from the nearest alternate county seat. There is a huge back up because of the oil patch demands and the reality is that you have to drive 150 miles if you live in his home town to get your license renewed. He said that CDL licensing has a wait list of anywhere from 60 to 80 days. If the state is going to require licensure it ought to provide the services to get licensed. The bill will do two things: It would set a standard where licensing has to be provided, at least once a month in every county that is more than 40 miles from another location where licensing can be procured. Second, if for any reason the DOT does not provide this service according to the standards set forth in the bill, they can give an online extension of sixty days. He stated that this is a huge frustration and he urged the committee to help find a way to fix it.

Senator Oehlke gave an example from his area and asked if this was really going to help solve the big problem.

Senator Andrist said he feels they ought to be able to supply services in every county once a month. He put the forty miles in the bill just to cut DOT some slack. In his area they have people that drive to Bismarck from Williston and Crosby. He stated that the DOT needed to address this seriously.

Senator Mathern said that there are problems in Fargo, also. He asked if he had considered an appropriation to hire additional staff as a matter of addressing this.

Senator Andrist said that they didn't put an appropriation in the bill because in discussion with the DOT they have asked for six more examiners in the budget. The governor's

budget didn't want to raise the fee, Senator Andrist said lets raise the fee and get the job done.

No opposing testimony.

Linda Butts, Deputy Director for Driver and Vehicle Service at the Department of Transportation shared the magnitude of the problems that the DOT is facing. She said they were working hard to provide the best most professional service to our citizens but they do realize they are failing. The four positions they have requested in HB 1012 will help get them back to the service levels they provided earlier but will not allow them to add additional service locations to their schedule. They believe it will take four more examiners to restore the services to spring of 2010 levels and an additional two FTEs to provide the service required in this bill. Written testimony #1

Senator Oehlke wanted to know why the six year renewal for class D license has to wait until 2015. Could the license be extended to six years without issuing another license and just informing law enforcement to be aware of this?

Ms. Butts asked if his question was; can we pass a law that says the existing people currently holding four year license all of a sudden have six. She said that they would all still have to come in and the DOT would have to reprint their license.

Colonel Prochniak, State Highway Patrol said that without a valid license people could not board an airline and also law enforcement would have concerns when you are driving in other states or countries that your license would not be valid.

Ms. Butts said that the reason we said 2015 is that if we start immediately after the legislature adjourns, the people that come in this year will be issued a six year. We would not reap the benefit until 2015.

There was discussion on the pros and cons of this bill solving the real problems. The bottom line is that with the four new FTEs that are in HB 1012 they can restore services to Stanley and Crosby but they don't have the resources for the others that they had to cut back on.

Senator Sitte asked about their automated sites in NE and wondered if shifting some automated sites to the NW would help.

Ms. Butts answered that an automated site is misleading, because what it really means is that they send staff from Grand Forks to that site. They send human beings. They have talked about ways to automate license renewal but you still need eye examines and pictures.

Senator Nething said one of the roles of the legislature is to give direction to the executive branch if the legislature is of mind that it is not being taken care of. He asked what we can do if we don't pass the bill to assure that the problem gets taken care of.

Ms. Butts replied that it is a resource issue. For the record, she stated that if they do get the four FTEs they will offer services in Crosby and Stanley.

Discussion followed on eye examines being required and not offered onsite. These raised questions on what would be acceptable from an optometrist and also the fact that the DOT would not be offering eye exams and the citizens would have to go to an optometrist to get the information to present at the time of licensing.

Glen Jackson of the Department of Transportation said the gain would be minimal and the cost for the citizens high.

Senator Lee closed the Hearing on SB 2250.

Discussion followed on the appropriation bill in the House. Senator Nething said he would like to have an appropriation hearing of this bill in the Senate Appropriation committee. He stated that if the four FTEs get put in HB 1012 than we don't need SB 2250. But if they don't get funded, we need to get SB 2250 to Senate Appropriation.

Senator Oehlke questioned where they would get the FTEs. That is a big problem.

Senator Nething said on page four of her testimony, Ms. Butts said, "If we gain the FTEs we seek, we will be able to provide." He said it is up to DOT.

Senator Oehlke said that he looked at this bill as trying to micro manage a department that can solve the problem with resources.

Senator Mathern expressed his concern about Fargo and the larger cities.

Senator Oehlke moved a **Do Not Pass** on SB 2250.

Senator Sitte seconded the motion.

Roll call vote 5-1-0. **Motion passed.**

Senator Oehlke will carry the bill.

FISCAL NOTE

Requested by Legislative Council
01/19/2011

Bill/Resolution No.: SB 2250

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.*

	2009-2011 Biennium		2011-2013 Biennium		2013-2015 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures				\$360,640		\$349,140
Appropriations				\$360,640		\$349,140

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

2009-2011 Biennium			2011-2013 Biennium			2013-2015 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 requires driver license examiners to visit any county seat that is outside of a 40 mile radius of current services. This would create the requirement to visit Crosby, Bowbells, Stanley, Beach, Steele and Fort Yates once a month.

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.*

In order to continue to provide all current services as well as provide the additional visits, we would require two additional FTEs, one each located in Dickinson and Williston.

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.*

ADDITIONAL COSTS PER BIENNIUM (\$360,640 first biennium, \$349,140 thereafter)

2 FTE X \$60,000 per year = \$120,000 per year or \$240,000 per biennium.

IT system installation, data line installation and computer system purchase - \$11,500 initial cost (1st biennium only).

L1 cost per card issued increase: each additional site increases total incremental cost per card in system by 0.097 cents. Current cost is \$2.99 per card. This would increase the cost to \$3.38 per card issued. With approximately 280,000 cards per biennium, the total incremental increase is about \$108,640 per biennium (4 sites X \$.097 incremental price increase per card issued X 280,000 cards issued per biennium = \$108,640).

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.*

NDDOT would need an addition to its appropriation in the amount of \$360,640 to carry out the requirements of this measure.

Name:	Glenn Jackson	Agency:	NDDOT
Phone Number:	328-4792	Date Prepared:	01/21/2011

REPORT OF STANDING COMMITTEE

SB 2250: Transportation Committee (Sen. G. Lee, Chairman) recommends DO NOT PASS (5 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). SB 2250 was placed on the Eleventh order on the calendar.

2011 TESTIMONY

SB 2250

#1

SENATE TRANSPORTATION COMMITTEE
10:30 a.m., January 27, 2011, Lewis and Clark Room

North Dakota Department of Transportation
Linda Butts, Deputy Director for Driver and Vehicle Services, NDDOT

SB 2250

Good morning Mr. Chairman and member of the committee, I am Linda Butts, Deputy Director for Driver and Vehicle Services, at the North Dakota Department of Transportation. Thank you for giving me the opportunity to present information to you today.

Senate Bill 2250 is designed to increase the locations where the Drivers License Division provides services to our citizens. We have used the 60 mile rule in determining where to place or keep driver's license sites (see Map 1). The thinking is that in most cases this is an hour's drive. This bill will require we place sites such that no one drives more than 40 miles (see Map 2). I would like to provide you with some background information on how we have arrived at our current level of service.

The most significant issues in the license delivery process today are the changing quantity of need, increased complexity of service and our delivery capacity.

1. **Quantity of Need:** The volume of work is increasing across the state. Driving tests for all classes of license have increased by 36 percent. The northwest region is driving the need for increased quantities of CDL licensing with an increased demand of 54 percent; the rest of the state is seeing increased demand of 29 percent to 32 percent.
2. **Complexity of services:** We have added more complexity in the system over time. The following systems are automated, but require the examiner to manually select the system for processing:
 - a. Problem Driver Pointer System (PDPS) is a check we run on every license application to validate that a driver does not have a driving violation in another state before we process the request
 - b. Commercial Drivers License Information System (CDLIS) is a check to validate the status of CDL drivers
 - c. Social Security Online Verification System (SSOLV) is a check to validate social security numbers
 - d. Systematic Alien Verification for Entitlements System (SAVE) is a check of immigration documents
 - e. We will be adding more complexity over time:

- i. In January of 2012 we will begin to review medical certification of CDL drivers before they are licensed. This will take more time.
- ii. REAL ID remains an unknown and the federal government has given us no guidance with regards to the May 2011 date.

3. **Delivery Capacity:** Since 2003 staffing has not increased to meet today's demand forcing some significant and severe decisions in order to continue to deliver services.

In February 2010, the division examiner staff was at 100 percent for the first time in a very long time. We have 40.5 FTE that provide front-line examiner service and 2.5 FTE that provide backroom support from the central office.

In March and April we lost:

- A DLII team leader in Dickinson to the oil field
- A DLII examiner in Williston who moved with her oil field employed husband
- A DL Supervisor in Bismarck to the oil field
- A DLII Examiner in Fargo who moved to Alaska with her oil company employed fiancé
- A DLII Examiner in Fargo who stepped down to a half time position in order to move to Bismarck
- Lost the production capacity of a DL Supervisor in Minot, who passed away in November
- A DLII examiner in August and in September
- Two DLII examiners for two months, both on maternity leave
- One DLII to a promotion to DL Supervisor
- In addition, we currently have two DLII examiners with medical conditions that can no longer do road tests—both will most likely leave government service

It takes two months to train an examiner to conduct class D tests and six months for a CDL. As of this date, inclusive of the losses occurring today due to physical requirements, we are 7.5 examiners short of full CDL examination certification. These staffing concerns occurred simultaneously with changes in the volume of work.

During the late spring of 2010 we experienced growing lines for service. This was especially true for CDL testing. We took the following steps to begin to address the backlog.

- We reviewed service delivery to see where we were getting the most business. (See Table 1) This review informed us that:
 - Our eight main sites, Bismarck, Jamestown, Fargo, Grand Forks, Devils Lake, Minot, Williston and Dickinson, were increasing in volume.
 - Our field sites, of which we have 19, were seeing less volume.
 - As wait times grew to around 80 days for CDL exams, we were forced to make some tough decisions. We looked at those sites that had very little activity.
 - Crosby and Stanley had experienced low level of use for the past two years.
 - Based upon this evaluation, we took the following action:
 - We temporarily closed Crosby and Stanley for the summer.
 - Now instead of sending two examiners to these two locations we were able to schedule 20 additional CDL tests each month in Williston
 - We brought examiners from other parts of the state when able
- As 2010 progressed we realized we were not reducing wait times so took the following action:
 - Advertised for temporary help in Williston, Dickinson, and Minot. We were looking for individuals we could train to perform counter work to free our examiners to conduct road tests.
 - We were unable to hire anyone in Williston and Dickinson. We did hire one in Minot. She became a full time employee and we have not been able to attract any more part time staff.
 - Sought retired highway patrolmen and others, but found no interest
 - We then reduced service to other locations in the state.
 - August: reduced a day in Harvey, Valley City, Wishek, Carson, Rugby, Oakes, and Linton.
 - November: reduced a day in Mayville, Bowman, Carrington, Langdon, and Rolla.

- These changes provided us additional CDL testing capability, enabling us to reduce our average statewide CDL road test wait time to 25.62 days. However, we remain above 45 days in the northwest.

The following chart clarifies the problem. In order to put 2,006 new CDL drivers on the road last year, we scheduled 3,941 tests.

CDL Road Tests	2010	Note
Scheduled	3941	Total scheduled CDL road testing slots
No. Show	587	15 percent failed to show for a scheduled test
Incomplete	314	10 percent either brought the wrong vehicle or an unprepared vehicle
Tested	3040	77 percent of scheduled tests were fully tested
Failed Test	1034	34 percent of those tested failed the test
No. Issued a License	2006	66 percent pass rate of tested / 51 percent pass rate of all scheduled slots
Percent Change 2010 From 2009	32 percent	The increase in CDL testing requests in the past year

This bill would require two FTE to meet the requirement to visit six county seats that are currently outside of the 40 mile requirement: Crosby, Bowbells, Stanley, Beach, Fort Yates, and Steele. With this additional staff there will be a minimal impact to our current operations. Without this additional staffing we will have to further reduce services at three of our current main sites to provide the service.

Should we gain the two FTEs we currently seek, we will be able to provide:

- One day a month service to Stanley and Crosby from our Williston office, without reducing service to Watford City and maintaining service in Williston.
 - Bowbells is within 40 miles of Stanley, so we would not anticipate providing service to that location.
- One day a month service to Beach from our Dickinson office, without reducing service to Bowman and Beulah while maintaining service to Dickinson.
- One day a month service to Fort Yates and Steele without reducing service to Carson, Linton, or Wishek, and only experiencing a slight decrease in service in Bismarck.

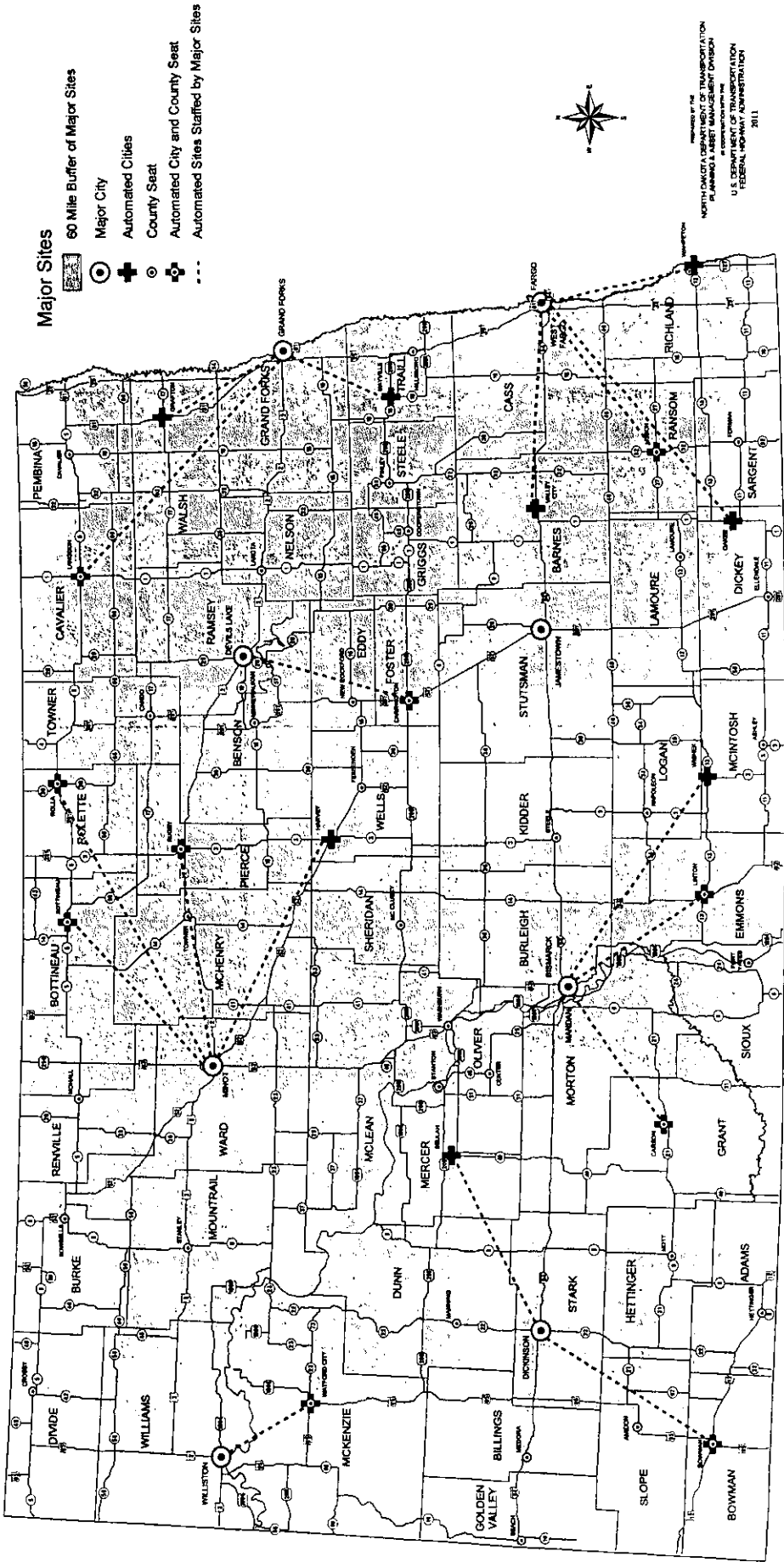
In 2010 we identified ADA, safety, and security issues at our main driver's license sites and will soon complete a project that overhauled all eight main sites. We will be installing online test scheduling services, customer waiting queue management systems to help expedite services, and credit card machines. In addition,

- We have requested four FTEs to support the growing demand in a time frame acceptable to our citizens based upon services provided before October 2010. This request is in HB 1012.
- We requested a six year renewal for the Class D operator's license, which will reduce renewal volume beginning in 2015. This request is in HB 1109.

In conclusion, we are working hard to provide the very best most professional service to our citizens, which is a DOT standard. The four positions we've requested in HB 1012 will help get us back to the service levels we provided earlier but will not allow us to add additional service locations to our schedule. We believe it would take four more examiners to restore the services to spring of 2010 levels and an additional two FTE to provide the service required in this bill.

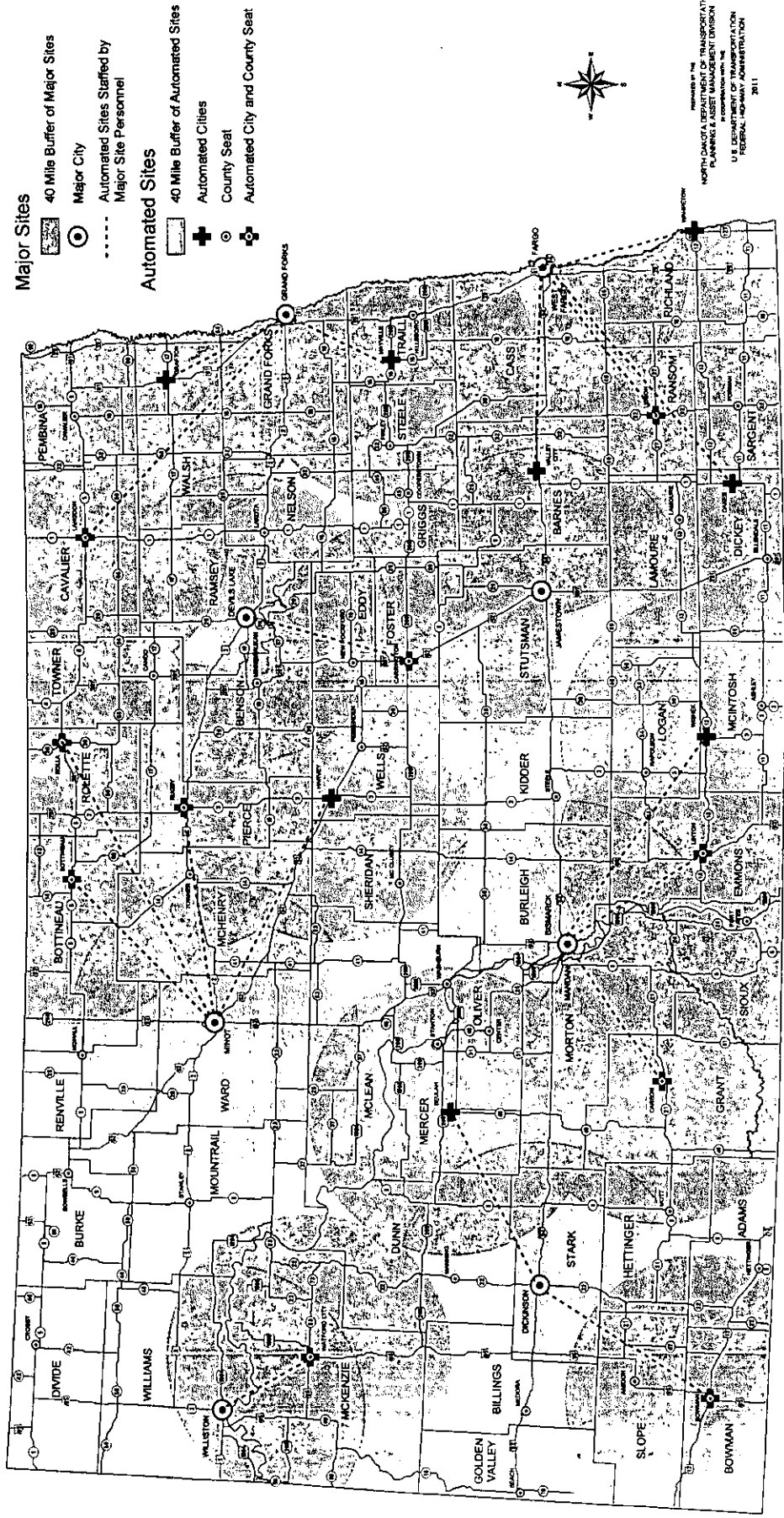
Thank you, Mr. Chairman, I would be happy to answer any questions.

NORTH DAKOTA DRIVERS LICENSE SITES 60 Mile Buffered Radius Staffed by Major Sites Personnel





NORTH DAKOTA DRIVERS LICENSE SITES 40 Mile Buffered Radius Staffed by Major Site Personnel



PREPARED BY THE
NORTH DAKOTA DEPARTMENT OF TRANSPORTATION
PLANNING AND RESEARCH DIVISION
IN COOPERATION WITH THE
U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
2011

Drivers Licensing Trends

	2009												2010												Dec YTD	AVG	% Change			
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec						
Carson	7	8	16	13	12	15	24	19	13	22	18	27	194	16.17	4	8	17	17	24	28	13	15	0	10	15	14	165	13.75	-14.95%	
Linton	5	10	2	6	6	15	17	20	16	8	16	10	131	10.92	4	3	8	6	17	16	13	8	7	14	7	103	8.58	-21.37%		
Wishek	11	5	1	15	14	14	15	16	11	11	5	4	122	10.17	3	3	4	8	5	18	17	11	10	7	8	11	105	8.75	-13.93%	
Beulah	25	20	5	18	15	10	23	21	11	13	6	8	175	14.58	18	13	19	15	10	0	13	19	20	19	0	15	161	13.42	-8.00%	
Bowman	9	9	7	4	13	23	13	9	8	5	7	14	121	10.08	15	5	9	5	6	0	0	13	14	13	4	10	84	7.83	-22.31%	
Oakes	11	12	11	9	20	19	21	15	16	20	17	22	193	16.08	7	12	15	14	12	14	11	14	13	14	7	147	12.25	-23.83%		
Lisbon	6	14	0	14	19	18	24	26	17	9	9	14	170	14.17	17	13	13	19	12	11	11	15	20	17	8	175	14.58	2.94%		
Valley City	15	18	5	8	38	69	44	36	45	34	36	43	391	32.58	26	17	33	37	31	33	34	40	39	40	37	23	390	32.50	-0.26%	
Wapeton	11	11	8	20	38	32	45	49	50	49	26	32	371	30.92	30	18	25	18	38	28	50	49	61	60	38	30	445	37.08	19.95%	
Mayville	14	12	16	28	24	33	14	40	30	31	35	23	300	25.00	14	15	8	27	26	18	23	22	27	35	20	14	249	20.75	-17.00%	
Grafton	19	15	23	25	30	51	33	43	40	37	35	36	387	32.25	11	13	25	31	29	46	37	48	34	33	29	31	367	30.58	-5.17%	
Langdon	7	3	3	14	15	24	27	28	24	23	14	16	198	16.50	10	8	13	10	12	14	19	20	15	15	9	7	152	12.67	-23.23%	
Carrington	5	4	2	13	22	18	14	20	23	16	10	16	163	13.58	11	7	6	22	14	17	13	2	2	6	0	100	8.33	-38.65%		
Rugby	2	7	5	8	9	22	28	21	4	10	9	13	138	11.50	4	10	7	13	14	13	14	15	14	8	3	8	123	10.25	-10.87%	
Harvey	6	9	9	9	13	21	21	18	9	11	8	6	140	11.67	7	9	8	4	12	16	21	6	6	8	9	6	112	9.33	-20.00%	
Bottineau	16	13	11	29	20	37	34	31	22	27	10	13	263	21.92	12	6	22	18	11	20	17	17	8	13	14	13	171	14.25	-34.98%	
Rolla	14	8	28	21	0	21	19	33	18	21	10	12	205	17.08	0	0	0	1	0	1	0	12	24	31	0	19	15	113	9.42	-44.88%
Wardford City	13	11	6	5	10	15	15	18	10	10	15	5	123	10.25	9	5	8	8	12	7	10	17	10	14	11	4	115	19.58	-6.50%	
Crosby	4	1	1	3	4	3	4	7	3	6	3	7	46	3.83	0	2	2	2	3	0	0	0	0	0	0	0	19	1.58	-58.70%	
Stanley	4	5	0	18	12	8	9	9	15	16	0	0	69	5.75	6	6	7	6	10	10	10	10	10	10	0	0	25	2.08	-63.77%	
Commercial & Non-Commercial License Main Site Activity (All License Classifications)																														
Bismarck	106	115	154	202	196	270	252	247	271	236	203	197	2449	204.08	132	148	218	183	232	323	317	283	234	277	194	149	2690	224.17	9.84%	
Jamestown	27	32	37	50	86	100	119	85	55	68	68	36	763	63.58	6	45	73	62	100	105	80	111	81	141	75	63	842	70.17	-10.35%	
Fargo	186	161	177	331	269	390	463	429	347	277	330	282	3642	303.50	171	173	327	338	324	271	327	389	389	291	370	314	3684	307.00	1.15%	
Grand Forks	89	85	115	196	161	286	274	241	210	187	200	149	2193	182.75	90	117	192	183	198	357	278	257	236	104	234	202	2448	204.00	-11.63%	
Devils Lake	36	15	30	52	74	77	59	90	70	57	46	58	664	55.33	22	37	66	54	49	100	73	74	50	50	57	49	681	56.75	2.56%	
Minot	98	81	148	182	183	258	260	218	251	173	138	144	2134	177.83	94	109	177	154	137	237	270	293	228	150	176	165	2190	182.50	-2.62%	
Williston	48	49	53	57	75	102	88	82	73	54	69	73	823	68.58	37	41	65	82	60	98	68	65	66	53	63	55	753	62.75	-8.51%	
Dickinson	80	62	53	89	84	135	117	64	98	63	66	129	1040	86.67	63	79	66	115	74	98	135	117	95	95	105	59	1101	91.75	-5.87%	

* Note: Williston decrease due to staff availability: in 2009 Minot (Jerry Gephart) and Bismarck (Jim Rumpfle) provided road test staff regularly, in 2010 unable to continue same support (Jerry Health, Jim left for oil-field position) significant part of what caused the increase in road test scheduling times to increase. Also lost one FTE from Williston to follow husband to oil-field position, leaving 2 staff.