

**FISCAL NOTE**  
**Requested by Legislative Council**  
**12/23/2016**

Amendment to: HB 1084

- 1 A. **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.*

	2015-2017 Biennium		2017-2019 Biennium		2019-2021 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
<b>Revenues</b>				\$(259,042)		\$(264,622)
<b>Expenditures</b>				\$(696,350)		\$(711,350)
<b>Appropriations</b>				\$(696,350)		\$(711,350)

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

	2015-2017 Biennium	2017-2019 Biennium	2019-2021 Biennium
<b>Counties</b>		\$153,197	\$156,497
<b>Cities</b>		\$87,044	\$88,919
<b>School Districts</b>			
<b>Townships</b>		\$18,801	\$19,206

- 2 A. **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 would change to a one plate requirement for all registered motor vehicles instead of displaying two plates.

- 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.*

Section 3 of the bill replaces the requirement that all registered vehicles display two plates with a requirement that all registered vehicles display a single plate. This bill will result in one time programming costs, on-going reductions in costs for license plates and postage, and a change in the revenues available for distribution through the Highway Tax Distribution Fund.

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.*

Since the motor vehicle division is funded “off the top” of motor vehicle revenues before such revenues are distributed through the Highway Tax Distribution Fund, the Motor Vehicle revenue reduction will be the same as their corresponding reduction in costs.

The net amount of the change in revenues over the change in expenditures is allocated through the Highway Tax Distribution Fund to NDDOT (61.3%, counties (22%), cities (12.5%), townships (2.7%), and transit (goes to NDDOT) (1.5%).

The amounts shown in Section 1A are a composite of the amounts impacting the Motor Vehicle Division of NDDOT (off the top), the 61.3% NDDOT Highway Tax distribution, and the 1.5% transit Highway Tax distribution.

See attached supporting calculations.

- 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.*

NDDOT Motor Vehicle Division will incur one-time costs of approximately \$15,000 for computer programming costs. License plate costs will reduce approximately \$1.70 per unit issued. Postage costs will decrease approximately \$.57 per unit issued from the central office.

See attached supporting calculations.

- 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 or a part of the appropriation is included in the executive budget or relates to a continuing appropriation.*

The NDDOT Motor Vehicle Division will see reduced expenditures of \$696,350 and \$711,350 for the 2017-2019 and 2019-2021 bienniums respectively. Accordingly, the division would need less appropriations by those amounts.

**Name:** Shannon L. Sauer

**Agency:** ND Dept of Transportation

**Telephone:** 328-4375

**Date Prepared:** 01/04/2017

**HB1084**  
**2017 Session**  
**Fiscal Note Support**

**Assumptions:**

Number of license plate sets ordered per biennium	400,000
Number of license plate sets mailed from MV Central Office per biennium	55,000
Reduction per plate set cost as a result of using one plate	\$ 1.70
Reduction per plate set mailing cost as a result of using one plate	\$ 0.57
One time programming costs	\$ 15,000.00
Highway Tax Distribution Fund Percentages	
NDDOT	61.30%
Cities	12.50%
Counties	22.00%
Townships	2.70%
Transit (NDDOT)	1.50%

Reduction in Total Plate Costs (Ongoing) \$1.70 x400,000	\$ (680,000)	
Reduction in Central Office Mailing Costs (Ongoing) \$.57 x 55,000	\$ (31,350)	
Total Ongoing Cost Reduction		\$ (711,350)
One Time Programming Costs		\$ 15,000
Total First Biennium Costs		<u>\$ (696,350)</u>

Revenue (HTDF) Impact Due to Expenditure Reduction

First Biennium:

MVD - Off the Top Reduction (NDDOT)		\$ (696,350)
Revenue Addition throught HTDF Distribution		
NDDOT (61.3%)	\$ 426,863	
Cities (12.5%)	\$ 87,044	
Counties (22%)	\$ 153,197	
Townships (2.7%)	\$ 18,801	
Transit (NDDOT) (1.5%)	\$ 10,445	
		\$ 696,350

Second Biennium:

MVD - Off the Top Reduction (NDDOT)		\$ (711,350)
Revenue Addition throught HTDF Distribution		
NDDOT (61.3%)	\$ 436,058	
Cities (12.5%)	\$ 88,919	
Counties (22%)	\$ 156,497	
Townships (2.7%)	\$ 19,206	
Transit (NDDOT) (1.5%)	\$ 10,670	
		\$ 711,350

<b>17-19</b>	<b>19-21</b>
<b>Other Funds</b>	<b>Other Funds</b>

**Fiscal Note Section 1A - State Fiscal Impact:**

Revenues	\$ (259,042)	\$ (264,622)
Expenditures	\$ (696,350)	\$ (711,350)
Appropriations	\$ (696,350)	\$ (711,350)

<b>17-19</b>	<b>19-21</b>
<b>Biennium</b>	<b>Biennium</b>

**Fiscal Note Section 1B - City, County, School District, and Township Fiscal Impact:**

Counties	\$ 153,197	\$ 156,497
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School Districts		
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**FISCAL NOTE**  
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Bill/Resolution No.: HB 1084

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**2017 HOUSE TRANSPORTATION**

**HB 1084**

# 2017 HOUSE STANDING COMMITTEE MINUTES

Transportation Committee  
Fort Totten Room, State Capitol

HB 1084`  
1/5/2017  
22614

- Subcommittee  
 Conference Committee

Committee Clerk Signature

*Jeanette Cook*

## Explanation or reason for introduction of bill/resolution:

A bill relating to number plates.

## Minutes:

Attachments #1-5

**Representative Owens, District 17**, presented HB 1084 to the committee.

**Representative Owens:** Section 1 deals with the reduction from two license plates on a vehicle to one. Section 2 cleans up the language for the Pioneer Plate. Section 3 cleans up the language as well as changing from multiple plates to a single plate.

We have heard from constituents across North Dakota that they feel that one plate on the back of a vehicle is adequate. The law doesn't require two plates on all vehicles. On the way down here from Grand Forks in a blizzard, I counted 7 North Dakota vehicles without a front license plate. Some vehicles don't have an assembly to apply a plate on the front. That is the problem, some vehicles that you can buy must be special ordered if you want a place to put a front license plate. If you bring a car in from another state, it may or may not have a place for a license plate.

This bill has been introduced before and has been opposed by law enforcement because it is easier to see a plate number IF you come upon a vehicle from the front and can see the plate. That may be not be a reason to have every citizen in the state to put two plates on their vehicle.

There is also the issue that many of the people that do not have front plates do not get stopped and cited. It seems that the law does not penetrate society as it exists on the books today. More importantly there are segments of law enforcement that don't bother to enforce it.

Nowhere in the bill does it suggest that the cost of the registration will be reduced. So, the fiscal note assumed that. So, this bill creates cost savings from reduced expenditures, for 2017-2019 of just under \$700,000 and over \$700,000. It also talks about a one-time cost of

computer programming of \$15,000. The bill does not recommend decreasing the cost of registration when going from two plates to one.

**Vice Chairman Rick C. Becker:** There is a portion of the bill that may need correction. It is on Page 2 Line 22. It appears that a sentence stops short.

**Representative Owens:** That was an oversight, and we do need to correct that.

**Representative Jones:** Have you had discussions this with the head of Department of Transportation? What has been his reception to this idea?

**Representative Owens:** No, I have not had that discussion, because this committee has seen this bill for years. We understand law enforcement's view and 3M's view. I don't know if Department of Transportation has a preference one way or the other.

**Representative Jones:** Who generated this fiscal note?

**Representative Owens:** Shannon Sauer from the Department of Transportation.

**Representative Jones:** There are so many different laws for plates on vehicles, I like what you are doing to save money and making it simple for the everyday citizen.

**Vice Chairman Rick C. Becker:** Do you have a breakdown of the number of states that require one license plate vs. two??

**Representative Owens:** I do not have it with me. We can find out.

**Representative Weisz, District 14,** spoke in support of HB 1084.

This bill has been proposed three times since I have been elected. There are a lot of states that have a single plate requirement.

There are people that have vehicles that will have reduced value if they drill holes in them, and they refuse to put plates on them. They will just be out of compliance and keep getting tickets. We have not had evidence that states with just one plate have higher rates of drive-off fuel theft, or seen data that it is harder to convict someone with just one plate. Does it truly make a difference? I would ask that the committee would support HB 1084.

**Representative Anderson:** Did the State Patrol testify in favor or against this in the past?

**Representative Weisz:** I think they testified against the bill both times. It was probably the number one opposition to the bill in the past. There is also opposition from the retailers as far as identifying those that drive-off without paying for fuel.

**Chairman Ruby:** Have you ever heard of instances that they have cameras to use in case someone would drive off without paying for their fuel like they do at stoplights?

**Representative Weisz:** I have not.

**Representative Owens:** The cameras that take pictures at stop lights are part of Intelligent Transportation Systems. They always take a picture of the rear of the vehicle because people would claim that they weren't driving but had loaned their car to someone. Laws then were created that say that the registered owner is responsible regardless of who is driving.

There are 19 states that require only one license plate.

There was no further support for HB 1084. (18:40)

**Mike Rud, President of the North Dakota Petroleum Marketers Association,** provided written testimony in opposition to HB 1084 but was not at the hearing in person. See attachment #1. Attachment # 1 was distributed to the members of the committee.

**Larry Froelich, Director of Retail Operations for Missouri Valley Petroleum,** spoke in opposition to HB 1084 and provided written testimony. See attachment #2. (19:40)

**Vice Chairman Rick C. Becker:** Can you tell me what the typical setup is for surveillance cameras at a gas station? It seems like the cameras are everywhere. What is the likelihood that you would not be able to determine who was doing a drive-off, because it seems that every angle is covered?

**Larry Froelich:** We try to cover every angle. There are two to four cameras on the front of the building and some of them switch from one pump to the next. Typically, drivers drive in with the front of the vehicle to the front of the building. Therefore, while the vehicle is sitting, it is easier to capture the license plate. Once the vehicle moves it is harder to catch the license plate number.

**Chairman Ruby:** It seems that many people that would do a drive-off would find a way to cover the license plate.

**Larry Froelich:** They do.

**Representative Weisz:** How many drive-offs do you deal with?

**Larry Froelich:** There are one or two a day per location. Some are unintentional.

**Representative Jones:** How many are they able to recover by license plates or however, and how do they do it?

**Larry Froelich:** Probably 70% to 80%. It is a matter of working with law enforcement and tracking down the people.

**Chairman Ruby:** We understand that two plates helps you. But, the fact is that **everyone** has to get a second plate, and the vast majority people **don't** drive off and not pay for their fuel. Also some have to put plates on a vehicle that isn't made for a plate.

**Larry Froelich:** Can those people put it on the dash?

**Chairman Ruby:** I'm not sure. The only thing I could find in code is that the plate must be at least 12 inches off the level surface of the road. (25:45)

**Bruce Burkett spoke for the North Dakota Peace Officers Association,** opposing HB 1084, and provided written testimony. See Attachments #3, 4, and 5.

**Chairman Ruby:** If you were to make a recommendation, would it be for only front plates, since it seems to be the most visible?

**Bruce Burkett:** I think it is the first thing that you see, but sometimes you can identify a state by the color of the plate and then look at the back plate for the number to see if it is the one you are looking for.

**Chairman Ruby:** Do you have any statistics that show a higher percentage of capture or enforcement of certain violations because of the second plate compared to states that only have one plate? Or even for drive-offs? If the two plates are so beneficial, we should have a higher percentage of enforcement or capture.

**Bruce Burkett:** I don't have the statistics. Almost all types of patrol vehicles have video cameras in them now, so the first thing they see is the license plate of the other vehicle.

**Representative Schobinger:** Does law enforcement have any other means to capture a plate other than the front dash cam?

**Bruce Burkett:** There is certainly technology out there for surveillance vehicles, some are being used in other states.

There was no further opposing testimony on HB 1084 and no neutral testimony.

**Chairman Ruby:** I have a question on the fiscal note.

**Mark Nelson, Director of Driver Services from the North Dakota Department of Transportation,** introduced the new Motor Vehicle Director, Lindy Michlitsch.

**Lindi Michlitsch, Motor Vehicle Division Director:** With the fiscal note we were trying to show how many plates we purchased in a year, and that the cost would be reduced by a minimal amount because of the purchase cost. When our expenses are reduced it also reduces the amount of revenue, so it offsets and balances.

**Chairman Ruby:** Is the revenue reduction from the one-time plate in section 2?

**Lindi Michlitsch:** No.

**Chairman Ruby:** The reduction of expenditures, that is money that you don't have to expend. Is that why for the counties and cities actually show an increase to their funds for roads?

**Lindi Michlitsch:** Yes.

**Representative Owens:** I was reading revenue as money that is taken in. I assumed that that meant we were reducing the cost of registration. I misunderstood that, as we were reducing the cost to the tax payer as well.

**Lindi Michlitsch:** In the fiscal note we were just showing that our purchase cost would go down from Rough Rider Industries. Then the postage would go down as well.

**Representative Weisz:** I don't understand the city and county because if the costs go down, it doesn't change the money flowing into the Highway Distribution Fund, so how would that effect the cities and counties share of the Highway Distribution Fund?

**Lindi Michlitsch:** All the revenue that we collect go into the Highway Distribution Fund. Our expenses come off the top, so anytime our revenue goes up or down it effects the Highway Distribution Fund. That is what we were trying to show in the fiscal note.

**Chairman Ruby:** Then the reduction in expenditures for the state will give you more money for the cities and counties?

**Lindi Michlitsch:** Yes.

**Vice Chairman Rick C. Becker:** I see a reduction in expenditures, no appropriations. That means a savings to the tax payer. I see that the revenues are being decreased. I would like to know what is the total savings to the tax payers of North Dakota. Is it the \$711,000 without subtracting decreased revenues?

**Lindi Michlitsch:** I can't answer that. I will look into it.

**Chairman Ruby:** I understand the expenditure side, but I am still unclear on the revenue side.

**Representative Weisz:** The \$264,000 is the amount that the state does not get (add up the cities and counties). That is why there is a decrease in revenue of \$264,000, it is additional income that is coming back to the cities and counties as their percentage of the Highway Distribution Fund. Then the \$711,000 is expenditures. The net to the state would be about \$50,000. The rest goes to the counties and cities.

**Chairman Ruby:** That make more sense. It is not huge revenue for cities and counties, but it is something. They are always looking for extra revenue.

The hearing was closed on HB 1084.

**Chairman Ruby:** Representative Owens, will you get the information about the amendment?

**Representative Owens:** Yes, I will fix that with Legislative Council.

**Chairman Ruby:** We will hold the bill for committee work.

# 2017 HOUSE STANDING COMMITTEE MINUTES

Transportation Committee  
Fort Totten Room, State Capitol

HB 1084  
1/5/2017  
26625

- Subcommittee  
 Conference Committee

Committee Clerk Signature

*Jeanette Cook*

## Explanation or reason for introduction of bill/resolution:

A bill relating to number plates.

## Minutes:

**Chairman Ruby** brought HB 1084 back before the committee.  
Representative Owens may have an amendment.

**Representative Owens:** To clarify, on Line 22, it should read, "The plate must be attached to the front. "Cross out "of the". I would like to move that amendment.

**Representative Owens** moved that amendment.  
**Representative Westlind** seconded the motion.

**A roll call vote was taken: 13-1-0 The motion passed.**

**Chairman Ruby:** It is good to fix a bill even if it may not be passed, so it is the best that it can be on the floor.

**Representative Owens moved a DO PASS as amended on HB 1084.**  
**Vice Chairman Rick C. Becker seconded the motion.**

**Representative Owens:** I do understand that some rear plates are not visible on some vehicles. Section 3 deals with the responsibility that your license plate is visible. That is law. If people don't clean off their plates, then they are breaking the law. Now we have two laws that people are not paying attention to. I am not in favor of creating laws because people won't follow a law, and then we counteract with another law. The only change is Section 3 is changing it from two plates to one plate.

**Representative Jones:** I find that in many driving conditions your license plates and tail lights will be completely cover up by snow. It doesn't matter how often you clean them off. I wouldn't like people to get tickets in that situation.

**Representative Grueneich:** What is the overall savings with just one plate versus two?

**Representative Weisz:** The initial saving is \$711,000. The registration cost will not change. It will also be an ongoing for the state as people get new license plates, getting only one plate instead of two.

**Representative Grueneich:** How was this going to effect the cities, counties, and townships?

**Representative Weisz:** All the money from gas tax and registration goes into the Highway Trust Fund on the top. From there the Department of Transportation takes off their administration expenses, and what's left goes into the Highway Distribution Fund. There is a formula that gives out the money according to the percentage for each entity. So, the cities and counties, etc. will actually get an increase in funds if nothing else changes.

**Representative Nelson:** I have mixed feelings on the bill. I can see the savings and the convenience, and with most vehicles it is not a problem. I know that many pick-ups do not have a readable rear license plate. I am concerned about drive-offs. I don't see a real work-around with those vehicles. In the western part of the state you have to pre-pay because of that problem. I think we are forcing the retailers to go to pre-pay if we do this. That is my opposition.

**Representative Anderson:** I will not vote for the bill. My experience is that the rear plate is often unreadable. I wouldn't know what the plate says without looking at the registration if there were only one.

**Representative Dobervich:** The tipper for me is the situation of an Amber Alert. If someone hears it on the radio what type of car to be looking for, they may identify the vehicle type from the front but not be able to see the rear plate. It also seems to me that a plate could be put on the dashboard for those who don't want to affix the plate to the front.

**Chairman Ruby:** I am going to support the motion. I understand the issue with law enforcement and Amber Alerts. But, it seems to me if it is so beneficial to law enforcement, they would have statistics that show that states that have two plates have better enforcement results than ones who have one plate. We haven't gotten anything like that. I think it is an issue for people who have vehicles don't have a place for a front plate, and they have to reduce the value of the vehicle by adding one. I am frustrated that everyone has to have two plates and the state loses money, just because there is a certain segment of our population that drives-off from gas stations or abduct children.

**Vice Chairman Rick C. Becker:** Number one I want to save the state money. I also agree with Representative Owens that I don't like to create a law because we are not enforcing an existing law. The third point is that we have history of states with just one plate, and we are not seeing those states go back to two, but we are seeing more and more states go to one plate. It seems like if it were a significant problem to have one plate we would see it the other way. I am comfortable supporting the bill.

**Representative Owens:** Keep in mind the time frame in the late 90's or the turn of the century versus now. One thing that was stated is that law enforcement used to be able to

tell the state from the color of a plate. That is not the case now, because of specialized plates and an option to choose a number of different plates in many states.

I do not disagree with your description of weather conditions and the snow sticking to the back of a vehicle. Also as far as the robbery part is concerned, those intending to rob someone will probably cover the plate anyway. Fuel stations can change cameras to cover the rear of a vehicle too, to address drive-offs.

In this bill I am just thinking about the convenience and benefit for the citizens of the state, since not all vehicles require two licenses to begin with. All of our specialty vehicles don't, and some commercial vehicles.

**Representative Westlind:** I am in support of the law enforcement people and also our North Dakota petroleum marketers. It was stated that one to two people drive off per day per station. That is 6,000 to 12,000 drive offs per day. At an average of \$40 per fill, they are losing \$24,000 - \$48,000 per day in lost revenue. That is substantial. I also feel in another way that it will deter our law enforcement people from identifying people coming at them because of no plates.

**A roll call vote was taken. Ayes – 8 Nays – 6 Absent – 0 The motion passed.**

**Representative Owens will carry HB 1084.**

17.0234.01001  
Title.02000

Adopted by the Transportation Committee

January 5, 2017

*10/17  
1/5/17  
JR*

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1084

Page 2, line 22, remove the overstrike over "vehiele"

Renumber accordingly

1-5-17  
 Date: Click here to enter a date.  
 Roll Call Vote #: 1

**2017 HOUSE STANDING COMMITTEE  
 ROLL CALL VOTES  
 BILL/RESOLUTION NO. - HB 1084**

House Transportation Committee

Subcommittee

Amendment LC# or Description: \_\_\_\_\_

- Recommendation:  Adopt Amendment  
 Do Pass     Do Not Pass     Without Committee Recommendation  
 As Amended     Rerefer to Appropriations  
 Place on Consent Calendar  
 Other Actions:  Reconsider     \_\_\_\_\_

Motion Made By Owens Seconded By Westlind

Representatives	Yes	No	Representatives	Yes	No
Chairman Dan Ruby	✓		Rep. Gretchen Dobervich	✓	
Vice Chair. Rick C. Becker	✓		Rep. Marvin Nelson	✓	✓
Rep. Bert Anderson	✓				
Rep. Jim Grueneich	✓				
Rep. Terry Jones	✓				
Rep. Emily O'Brien	✓				
Rep. Mark Owens	✓				
Rep. Gary Paur	✓				
Rep. Randy Schobinger	✓				
Rep. Gary Sukut	✓				
Rep. Robin Weisz	✓				
Rep. Greg Westlind	✓				

Total (Yes) 13 No 1

Absent 0

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

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

1-5-17  
 Date: [Click here to enter a date.](#)  
 Roll Call Vote #: 2

**2017 HOUSE STANDING COMMITTEE  
 ROLL CALL VOTES  
 BILL/RESOLUTION NO. HB1084**

House Transportation Committee

Subcommittee

Amendment LC# or Description: \_\_\_\_\_

- Recommendation:  Adopt Amendment  
 Do Pass     Do Not Pass     Without Committee Recommendation  
 As Amended     Rerefer to Appropriations  
 Place on Consent Calendar  
 Other Actions:  Reconsider     \_\_\_\_\_

Motion Made By Owens    Seconded By Becker

Representatives	Yes	No	Representatives	Yes	No
Chairman Dan Ruby	✓		Rep. Gretchen Dobervich		✓
Vice Chair. Rick C. Becker	✓		Rep. Marvin Nelson		✓
Rep. Bert Anderson		✓			
Rep. Jim Grueneich	✓				
Rep. Terry Jones	✓				
Rep. Emily O'Brien	✓				
Rep. Mark Owens	✓				
Rep. Gary Paur		✓			
Rep. Randy Schobinger	✓				
Rep. Gary Sukut		✓			
Rep. Robin Weisz	✓				
Rep. Greg Westlind		✓			

Total (Yes) 8    No 6

Absent 0

Floor Assignment Owens

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

**REPORT OF STANDING COMMITTEE**

**HB 1084: Transportation Committee (Rep. D. Ruby, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (8 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). HB 1084 was placed on the Sixth order on the calendar.

Page 2, line 22, remove the overstrike over "vehiele"

Renumber accordingly

2017 TESTIMONY

HB 1084



# ND PETROLEUM MARKETERS ASSOCIATION

1014 East Central Avenue • PO Box 1956 • Bismarck, ND 58502  
Telephone 701-223-3370 • www.ndpetroleum.org • Fax 701-223-5004

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+HB1084  
1/5/16  
Page 1

## Testimony HB 1084

January 5, 2017 – House Transportation

Chairman Ruby and members of the Committee:

For the record, my name is Mike Rud. I'm the President of the North Dakota Petroleum Marketers Association. NDPMA represents nearly 600 gas retailers from across the state. On behalf of our association members, I'm here urging you to recommend a **"DO NOT PASS" on HB 1084.**

NDPMA stands in opposition to HB 1084 because it will likely have a major impact on the gas retail business. NDPMA believes a vehicle with only one license plate will increase the chances of customers driving away without paying for gas. Make no mistake, in the simplest terms drive-offs are retail theft and aren't taken lightly by business and law enforcement. One license plate will make it that much more difficult to stop the crime from occurring. While many retailers have invested large sums of money in video surveillance equipment in an attempt to stop drive-offs, it's still very difficult to help law enforcement apprehend a gas thief if there is no license plate showing up on video surveillance as the drive off occurs. It's also important to note, many smaller marketers can't afford this equipment. They must rely instead on the eyes of their cashiers.

ND law enforcement officials have enough issues to deal with in this day and age. It's hard to place a priority on running down a drive off when you have no license plate number to follow up on in the investigation.

Drive-offs aren't the only reasons why a **DO NOT PASS recommendation on HB 1084** is needed. Law enforcement have come to rely on convenience store videos when chasing wanted subjects for a variety of reasons. Convenience store owners have willingly provided much needed information, including facial recognition and license plate numbers during burglaries, abductions, etc. I would bet in many cases, the two license plates now on ND vehicles have been key to quicker apprehension.

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#1 Page 2

Two license plates make it a little easier to prevent drive-offs and other crimes. One license plate will almost certainly place more burdens on the local gas retailer and law enforcement across the state.

NDPMA urges a **"DO NOT PASS"** recommendation on HB 1084.

This concludes my brief testimony. Thank you for your time and consideration on this very important matter.

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#2

[www.mvpinc.net](http://www.mvpinc.net)  
**Testimony HB 1084**

January 5, 2017 – House Transportation

Chairman Ruby and members of the Committee:

For the record, my name is Larry Froelich. I'm the Director of Retail Operations for Missouri Valley Petroleum, I'm here urging you to recommend a **"DO NOT PASS" on HB 1084.**

Missouri Valley Petroleum as an operator and supplier of several Convenience store stands in opposition to HB 1084 because of its impact on the gas retail business. We believe a vehicle with only one license plate will increase the chances of customers driving away without paying for gas. One license plate will make it that much more difficult to stop the crime from occurring. While we have invested large sums of money in video surveillance equipment in an attempt to stop drive-offs, it's still very difficult to help law enforcement apprehend a gas thief if there is no license plate showing up on video surveillance as the drive off occurs.

Drive-offs aren't the only reason why a **DO NOT PASS recommendation on HB 1084** is needed. Law enforcement has come to rely on convenience store videos when tracking down wanted subjects for a variety of reasons. Convenience store owners have willingly provided much needed information, including facial recognition and license plate numbers during burglaries or abductions to law enforcement.

Two license plates make it easier to prevent drive-offs and other crimes. One license plate will almost certainly place an additional burden on the local gas retailer and law enforcement across the state.

I urge a **"DO NOT PASS" recommendation on HB 1084.**

This concludes my brief testimony. Thank you for your time and consideration on this very important matter.

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## HB 1084

Chairman Ruby and members of the House Transportation Committee;

My name is Bruce Burkett representing the North Dakota Peace Officers Association. NDPOA membership encompasses the numerous disciplines of Law Enforcement in North Dakota. Our organization is opposed to the provisions in HD 1084 removing the front license plates on passenger and truck type motor vehicles.

The front license plate is the first view seen by an officer as he meets a vehicle coming in the opposite direction. It identifies the state of registration of the oncoming traffic, gives the officer a view of the make of the vehicle; possibly the number of occupants even the gender of the driver. When responding to a citizen's complaint, the front plate is the first visible contact available to the officer. If the front plate is eliminated, cameras on store fronts, convenience stores or homes will not be able to identify a vehicle at the scene of a crime.

Another benefit of having a front plate allows the officer to detect an expired motor vehicle registration.

Attached you will find photos from an officer training program I have used for developing observation abilities with new officers. Being able to obtain partial or complete registration by the officer validates the decision of the officer if he or she needs to make a contact.

The photos show the approaching of the vehicle from a distance and then closer to the officer. On one photo you will see that it's a South Dakota plate. As part of my program I have several video segments of vehicles from the rear and then from oncoming traffic.

Yesterday I observed traffic at the intersection of Apple Creek road and County 66. Sixty vehicles passed my point and were recorded if the rear plate was visible or not. Vehicles with trailers the rear plate was not visible. Out of 60 vehicles that passed my position, 18 had rear plates obscured and 42 were clear, many of those were small vehicles.

**Most importantly all 60 vehicles had clear view of the front plate.**

I would challenge each of you upon leaving here today to drive thru one of the parking lots and look at the number of vehicles with obstructed view of the rear plates. Vehicle identification in law enforcement is a priority not only in response to complaints but safety of the public and officers.

Thank you for your time and consideration.

Bruce Burkett for NDPOA

Registered lobbyist 273

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1/15/17

