

**FISCAL NOTE**  
**Requested by Legislative Council**  
**01/07/2019**

Bill/Resolution No.: HB 1264

- 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.*

	2017-2019 Biennium		2019-2021 Biennium		2021-2023 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
<b>Revenues</b>						
<b>Expenditures</b>				\$4,847,000		\$4,560,000
<b>Appropriations</b>				\$4,847,000		\$4,560,000

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

	2017-2019 Biennium	2019-2021 Biennium	2021-2023 Biennium
<b>Counties</b>			
<b>Cities</b>			
<b>School Districts</b>			
<b>Townships</b>			

- 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 increases the speed limit to 75 from 70 mph on paved and divided, multilane highways and increases the speed limit to 80 mph from 75 mph on access-controlled, paved and divided, multilane interstate highways.

- 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 1 raises the speed limit on certain roadways.

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.*

The initial fiscal impact that this bill will have relates to the need to change the speed limit signs on affected roadways. The estimated cost for the initial changes is \$287,000 (\$187,000 Interstate, \$100,000 Multilane).

After the initial impact, as the Department reconstructs the multilane and interstate system or makes major improvements we must follow the standards set out in the AASHTO Green book on Geometric Design and other Nationally recognized manuals. By increasing the speeds on the multilane and interstate system, there are horizontal and vertical curves that would need to be reshaped, curve advisory signing installed, interchange ramps and acceleration or deceleration lanes would need to be lengthened, turn lanes would need to be lengthened, guardrail would need to be lengthened, box culverts and pipes would need to be lengthened, and center bridge piers would need to be protected. As a result, after the initial impact, the remaining 2019-2021 Biennium fiscal impact is estimated at \$4,560,000 (\$4,440,000 Interstate, \$120,000 Multilane).

We would have similar impacts each biennium for at least 20 years as we reconstruct our road system.

This fiscal note does not quantify the cost impact to society as a result of higher speeds. We include the following information to briefly address such impacts; these impacts are a significant concern as an increase in deaths due to motor vehicle crashes is totally contrary to the objective of the State of North Dakota's Vision Zero program:

- i. According to the National Highway Traffic Safety Administration, the probability of death, disfigurement, or debilitating injury grows with higher speed at impact. Such consequences double for every 10 mph over 50 mph that a vehicle travels.
- ii. According to the Insurance Institute for Highway Safety – Highway Loss Data Institute, each 5 mph increase in the maximum speed limit resulted in a 4 percent increase in fatalities. The increase on interstates and freeways, the roads most affected by state maximums, was 8 percent.
- iii. According to the National Safety Council, the comprehensive cost of each death resulting from a motor vehicle crash is \$4.1 million dollars.

- 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.*

NDDOT has not included the initial costs in the 19-21 biennium budget request. Therefore, an addition to the 2019-2021 appropriation of \$4.847 million would be needed.

**Name:** Shannon L. Sauer

**Agency:** NDDOT

**Telephone:** 328-4375

**Date Prepared:** 01/14/2019

**2019 HOUSE TRANSPORTATION**

**HB 1264**

# 2019 HOUSE STANDING COMMITTEE MINUTES

Transportation Committee  
Fort Totten Room, State Capitol

HB 1264  
1/24/2019  
#31393

- Subcommittee  
 Conference Committee

Committee Clerk Signature Jeanette Cook

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

A BILL relating to speed limitations on multilane highways.

## Minutes:

Attachment 1-2

**Chairman Ruby** opened the hearing on HB 1264.

**Representative Blum, District 42, North Grand Forks**, spoke to introduce HB 1264 and provided written testimony. See attachment #1. (4:56)

**Representative Westlind**: When I checked the data, after South Dakota raised their speed limit to 80 mph, the traffic accidents and fatalities increased 11%.

**Representative Blum**: In the data I looked at, it appears that in the year when it was not fully implemented, there was a slight bump. If you look at the data that I have accessed with **Rep. Koppleman**, it actually shows a gradual decrease since the law has been implemented.

**Chairman Ruby**: Do the other states also have increases of 75 mph on their four-lane highways?

**Representative Blum**: It is my understanding that SD has 75 mph on some multilane highways. I don't know about the other states.

(7:30)

**Representative Ben Koppelman, District 16**, spoke to support HB 1264 and provided written testimony. See attachment #2. (13:03)

**Representative Ben Koppelman**: The question had been asked if we had considered only doing interstate highways. If it is a concern on the fiscal note, it will not have a huge effect on the fiscal note. I will also address the statement about the safety in SD. Continued explanation of charts and fiscal note provided with testimony.

**Chairman Ruby**: What year did SD move theirs up?

**Representative Ben Koppelman:** It might have been partially in 2015, but for sure all of 2016.

**Representative Ben Koppelman:** I question the cost of the signs for the interstate speed limit change.

(21:17)

**Representative Westlind:** Speed related fatalities went up to 37 to 31 in 2015 when the speed limit increases went into effect.

**Representative Koppelman:** I was trying to suggest that the long term trend was positive.

**Vice Chairman Rick C. Becker:** The last time that we increased the speed limit in 2003 from 70 mph to 75 mph. Do you have the statistics on fatalities for that? I would expect that the average would be an increase of 8%. That is what is says in the fiscal note. Did that play out the last time we raised the speed limit by 5 mph?

**Representative Koppelman:** I don't know for sure. My data did not go back that far, but we could find out. I see no statistics that show you will have an 8% increase in fatalities by raising the speed limit 5 mph.

**Chairman Ruby:** I don't think we have ever been provided any statistics that showed that the fatalities went up after the 2003 increase. I would like to see those.

**Representative Westlind:** Do you think that the semi-operators will increase their speed to 80 mph if this is increased?

**Representative Koppelman:** I don't think they would because many of them are regulating their speed not only for safety but for fuel consumption.

**Geoff Simon**, registered lobbyist for the Western Dakota Energy Association, testified on his own behalf. He stated that, "Time is money." A vehicle traveling at 70 mph covers a mile in 51.4 seconds. If the speed limit went to 75 mph on Hwy 83 north to Minot (110 mi.), it would knock 6 ½ minutes off of the trip. Traveling to Fargo (195 mi.) @ 45 seconds to cover a mile at 80 mph, you save about 10 minutes off of your trip. For your information SD did ramp up the enforcement there after the law went into effect. I saw an article that stated that traffic citations on the interstate went up 50% in the first year.

There was no further support for HB 1264.

There was no opposition on HB 1264.

**Ron Henke, Deputy Director for Engineering for the North Dakota Department of Transportation**, spoke to answer questions on the fiscal note.

**Chairman Ruby:** I was looking at the numbers, and the cost per sign seem a lot higher than our counter parts. Could you explain why?

**Ron Henke:** The sheet that I e-mailed to Rep. Koppelman noted on the top that those are contractor installed costs. If the job was bid out, those are the prices that we would see. We also contacted Roughrider, and they told us the cost of a speed limit sign was \$240.

**Chairman Ruby:** Why would it be so much higher?

**Ron Henke:** I don't know if it is the type of materials or the amount of suppliers to Roughrider? I'm not sure.

**Chairman Ruby:** Do you have the ability to bid that?

**Ron Henke:** Yes.

**Vice Chairman Rick C. Becker:** Do we usually have an impact to society on the fiscal note?

**Ron Henke:** We try to provide information and costs that we know we might incur as projects go forward.

**Vice Chairman Rick C. Becker:** I am referring to the information in the fiscal note that states that every death costs \$4.1 million dollars. I am trying to understand the appropriateness of societal impact on the fiscal note. How can I apply that logically to this legislation?

**Ron Henke:** We were trying to provide some safety facts from some national institutes that talk about speed limits.

**Vice Chairman Rick C. Becker:** It seems to me that the fiscal note is designed to get the bill killed with this extra data.

**Chairman Ruby:** We have previously been told that Interstates were engineered for higher speeds than the posted speed limits. I don't remember the speeds. Are they still engineered for over 80 mph speed limits?

**Ron Henke:** I was not around when they built the interstate the first time, and can't answer your question. Right now we design for what the posted speed limit is. If we design for something more, it is just added cost.

**Chairman Ruby:** I was wondering about the curves and spacings.

**Ron Henke:** We tried to identify costs that we could see coming. We have data on the curves in the data system. We use that to look at what 80 would do, to try to give a reasonable fiscal note based on average bid prices for what it would cost us to do that type of work.

**Representative Jones:** Most of the states that have increased the speed limits have not gone the route of replacing all the sign. They took a piece of sign material and four bolts, and then overlaid the speed until it was time to change the signs. Did you consider that?

**Ron Henke:** I don't believe that we did. Our signs last about 10 years. We could do that. Some of the signs we could be replaced by maintenance staff; some could not with our equipment.

**Representative Hager:** Can you tell me about the controlled and the non-controlled access highways?

**Ron Henke:** Any time you introduce access points, there are concerns because there are conflict areas where vehicles can crash into each other. I can't say that going to 75 in North Dakota would increase that.

**Representative Hager:** Are there areas that aren't banked for the 80 mph, and would have to be resigned?

**Ron Henke:** We do have that on some of our two lane highways. You will see a yellow advisory speed limit associated with a curve sign.

The hearing was closed on HB 1264.

# 2019 HOUSE STANDING COMMITTEE MINUTES

Transportation Committee  
Fort Totten Room, State Capitol

HB 1264-2  
1/24/2019  
#31438

- Subcommittee  
 Conference Committee

Committee Clerk Signature Jeanette Cook

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

A BILL relating to speed limitations on multilane highways.

## Minutes:

**Chairman Ruby** brought HB 1264 back before the committee.

**Representative Westlind:** The fiscal note seems to be more that it was in 2016. It still talked about changing on ramps and the other things. I don't believe that we will see less accidents; I don't think we will see truck traffic increasing. I don't agree with the bill and will vote NO.

**Representative Westlind moved a DO NOT PASS on HB 1264.**  
**Representative Hanson seconded the motion.**

**Representative Weisz:** I think the data shows that most people will drive at the speed that they are comfortable with.

**Vice Chairman Rick C. Becker:** I am going to resist the motion. The speed limit has been raised many times, and it has worked out fine. I believe it is true that people will drive where they are comfortable.

**Representative Hanson:** I will support the DO NOT PASS motion. When I look at the variety of options of things we can invest money in, there may be better choices for that money. Safety is also a moderated concern, but mostly it is monetary.

**Chairman Ruby:** I understand there are some concerns, but I am going to resist the DO NOT PASS motion.

**Representative Paur:** I feel that the police already give us some latitude. If we raise the speed limit, I think a lot of that latitude will disappear.

**Representative Westlind:** I do think SD was stricter in enforcement when they raised their speed limit to 80 mph.

House Transportation Committee

HB 1264

1-24-19

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**A roll call vote was taken on a DO NOT PASS on HB 1264. Aye 5 Nay 7 Absent 5  
The motion failed.**

**Representative Kading moved a DO PASS on HB 1264.**

**Representative Paulson seconded the motion.**

**A roll call vote was taken. Aye 8 Nay 4 Absent 2**

**Vice Chairman Rick C. Becker will carry HB 1264.**

# 2019 HOUSE STANDING COMMITTEE MINUTES

**Transportation Committee**  
Fort Totten Room, State Capitol

HB 1264  
1/25/2019  
#31506

- Subcommittee  
 Conference Committee

Committee Clerk Signature Jeanette Cook

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

A BILL relating to speed limitations on multilane highways.

## **Minutes:**

**Chairman Ruby** brought HB 1264 back before the committee.

He explained that we passed HB 1264, and since it has a fiscal effect, we need to make a motion for a DO PASS and rerefer to Appropriations.

**Representative Owens moved to Reconsider our actions on HB 1264.**

**Representative Grueneich seconded the motion.**

**A voice vote was taken. The motion carried.**

**Representative Owens moved as a DO PASS and rerefer to Appropriations on HB 1264.**

**Representative Grueneich seconded the motion.**

**A roll call vote was taken: Aye 8 Nay 4 Absent 2**

**Vice Chairman Rick C. Becker will carry HB 1264.**

**The motion carried.**

Date: 1-24-19  
 Roll Call Vote #: 1

**2019 HOUSE STANDING COMMITTEE  
 ROLL CALL VOTES  
 BILL/RESOLUTION NO. 1264**

House Transportation Committee

Subcommittee

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

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

Motion Made By Westlind Seconded By Hanson

Representatives	Yes	No	Representatives	Yes	No
CHAIRMAN RUBY		X	REP LAURIEBETH HAGER	X	
VICE CHAIR BECKER		X	REP KARLA ROSE HANSON	X	
REP JIM GRUENEICH		X	REP MARVIN NELSON	X	
REP TERRY JONES	A				
REP TOM KADING		X			
REP EMILY O'BRIEN	A				
REP MARK OWENS		X			
REP BOB PAULSON		X			
REP GARY PAUR	X				
REP ROBIN WEISZ		X			
REP GREG WESTLIND	X				

Total (Yes) 5 No 7

Absent 2

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

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

Date: 1-24-19  
 Roll Call Vote #: 21

**2019 HOUSE STANDING COMMITTEE  
 ROLL CALL VOTES  
 BILL/RESOLUTION NO. 1264**

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 Kading Seconded By Paulson

Representatives	Yes	No	Representatives	Yes	No
CHAIRMAN RUBY	X		REP LAURIEBETH HAGER		X
VICE CHAIR BECKER	X		REP KARLA ROSE HANSON		X
REP JIM GRUENEICH	X		REP MARVIN NELSON		X
REP TERRY JONES	A				
REP TOM KADING	X				
REP EMILY O'BRIEN	A				
REP MARK OWENS	X				
REP BOB PAULSON	X				
REP GARY PAUR	X				
REP ROBIN WEISZ	X				
REP GREG WESTLIND		X			

Total (Yes) 8 No 4

Absent 2

Floor Assignment Becker

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

Date: 1-25-19  
 Roll Call Vote #: 1

**2019 HOUSE STANDING COMMITTEE  
 ROLL CALL VOTES  
 BILL/RESOLUTION NO. HB 1264**

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 Grueneich

Representatives	Yes	No	Representatives	Yes	No
CHAIRMAN RUBY			REP LAURIEBETH HAGER		
VICE CHAIR BECKER			REP KARLA ROSE HANSON		
REP JIM GRUENEICH			REP MARVIN NELSON		
REP TERRY JONES					
REP TOM KADING					
REP EMILY O'BRIEN					
REP MARK OWENS					
REP BOB PAULSON					
REP GARY PAUR					
REP ROBIN WEISZ					
REP GREG WESTLIND					

*Vote  
 Carried*

Total (Yes) \_\_\_\_\_ No \_\_\_\_\_

Absent \_\_\_\_\_

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

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

Date: 1-25-19  
 Roll Call Vote #: 2

**2019 HOUSE STANDING COMMITTEE  
 ROLL CALL VOTES  
 BILL/RESOLUTION NO. HB 1264**

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 Gruneich

Representatives	Yes	No	Representatives	Yes	No
CHAIRMAN RUBY	X		REP LAURIEBETH HAGER		X
VICE CHAIR BECKER	X		REP KARLA ROSE HANSON		X
REP JIM GRUENEICH	X		REP MARVIN NELSON		X
REP TERRY JONES	X				
REP TOM KADING	X				
REP EMILY O'BRIEN	A				
REP MARK OWENS	X				
REP BOB PAULSON	X				
REP GARY PAUR	X				
REP ROBIN WEISZ	A				
REP GREG WESTLIND		X			

Total (Yes) 8    No 4

Absent 2

Floor Assignment Becker

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

**REPORT OF STANDING COMMITTEE**

**HB 1264: Transportation Committee (Rep. D. Ruby, Chairman) recommends DO PASS and BE REREFERRED to the Appropriations Committee (8 YEAS, 4 NAYS, 2 ABSENT AND NOT VOTING). HB 1264 was rereferred to the Appropriations Committee.**

**2019 HOUSE APPROPRIATIONS**

**HB 1264**

# 2019 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee  
Roughrider Room, State Capitol

HB 1264  
2/6/2019  
32248

- Subcommittee
- Conference Committee

Committee Clerk Risa Bergquist

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

Relating to speed limitations on multilane highways.

## Minutes:

**Chairman Delzer:** Called the meeting to order for HB 1264, this bill is pretty straight forward coming out of committee with a do pass 7-4 is increases the speed limit to 75 on 4 lane roads and 80 on the interstate. Fiscal note is 4.8 million dollars.

**Representative D. Ruby:** We looked at the fiscal note closer this time, bill sponsors brought more information to us this time. We questioned some of the costs, obviously there's cost for roadwork and signs. One of the things we had issues with, on the back of the fiscal note, it's actually calculating social costs and they weren't interested in removing that. As far as the cost of the signs, there was some information, they are basically saying the cost of materials 290 dollars and labor is 360. South Dakota recently did theirs, it cost them 99 dollars but they did say they get theirs from the penitentiary. Montana had about 245 dollars per sign and they changed out 1000 signs. The other portion was the road work, they included the number of projects that would be affected by it. There is one that is bid out in October of 2018 and there are 2 of them that will be bid out on February 8<sup>th</sup>, and then 8/15 of this year and then there's another one for 11/2020. Those are the projects that they would need to update the construction costs.

**3:30 Chairman Delzer:** Did you ask them about the extension of guardrails and that sort of thing? If they are going to stay up the AASHTO "green book".

**Representative D. Ruby** It didn't sound like they would be doing any of that right away.

**Chairman Delzer:** I would think they would have to do those right away even if they weren't rebuilding.

**4:45 Representative Brandenburg:** When we talk about the speed limit going up we talk about the fines going up? Was there any discussion on that?

**Representative D. Ruby:** We do have a bill for that but it came out with a Do Not Pass, but if it gets supported it does raise the fine from 5 dollars per mile over to 10.

**Representative Schatz:** What was South Dakota's total amount for the signs?

**Representative D. Ruby:** They had 92 signs for that 99 dollars each.

**Chairman Delzer:** They got there's from their Rough Rider.

**Representative D. Ruby:** They also used some tabs to cover some of them, the tabs had a total cost of 990 dollars.

**Chairman Delzer:** I don't know if this will be about the cost as much as the speed.

**Representative Schatz:** What was South Dakota's total number? Our fiscal note is 4.5 million dollars.

**Chairman Delzer:** No Our fiscal note says it's basically 100 thousand.

**Representative D. Ruby:** South Dakota says the cost to replace the signage on the interstate was 22 thousand dollars it was 12 thousand for labor 10 thousand for materials.

**Chairman Delzer:** Fiscal note says it's initial cost is 287 thousand for the signs.

**7:40 Representative J. Nelson:** Was there any consideration for the decreasing of speed going through towns?

**Representative D. Ruby:** We didn't change that.

**Representative Mock:** The fiscal note talks about 4.4 million for the interstate and 120 thousand for the multilane just for the road enhancements that would be required, do you have any numbers from South Dakota and what it cost them to do their road enhancements?

**Representative D. Ruby:** We didn't get any information of what that cost them or how much they changed.

**Representative Mock:** What are the repercussions if we don't do these roads. If we raise the speed limit and don't change the roads is there a loss of federal funding or other repercussions?

**Representative D. Ruby:** In most cases they over engineer, they say it's good for whatever the speed limit is at but in general there's some areas where they allow for that, it's only 5 miles more.

**Representative Kempenich:** Montana has trucks at one speed and cars at another speed, what is the statistic out there? Why do we need this bill?

**Representative D. Ruby:** I don't think the highway patrol even testified, but as we talked about it, when it was 55 miles per hour people drove 70 and then as we raised to 65 some went 73 but as we went to 70 now they drive 75. The higher we go the less over people are driving.

**Representative Bellew:** Did you talk about time that would be saved?

**Representative D. Ruby:** It's not huge at all.

**Chairman Delzer:** There is a fiscal impact and if they have to redo roads to go by there standers, most of these interstates where built for 65 at the most, if they do work on them they will have to upgrade.

**13:45 Representative Kempenich:** I think one thing that comes into play is the off ramps and on ramps, I would be guessing DOT will get stricter to slow down traffic coming through towns.

**Representative D. Ruby:** The other thing is vehicles are much safer with the technology.

**Chairman Delzer:** I think we can work on this, what are your wishes?

**Representative Kempenich: I make a motion for Do Not Pass**

**Representative Meier: Second**

**Chairman Delzer:** We have a motion to Do Not Pass, any further discussion? If not, we'll call the vote.

**A Roll Call vote was taken. Yea: 14 Nay: 7 Absent: 0**

**Motion carries, Representative Kempenich will carry the bill.**

**Chairman Delzer:** With that we will come this meeting.

Date: 2/6/2019  
 Roll Call Vote #: /

**2019 HOUSE STANDING COMMITTEE  
 ROLL CALL VOTES  
 BILL/RESOLUTION NO. HB 1264**

House Appropriations 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 Representative Kempenich Seconded By Representative Meier

Representatives	Yes	No	Representatives	Yes	No
Chairman Delzer	X				
Representative Kempenich	X				
Representative Anderson	X		Representative Schobinger	X	
Representative Beadle		X	Representative Vigesaa	X	
Representative Bellew	X				
Representative Brandenburg	X				
Representative Howe		X	Representative Boe		X
Representative Kreidt	X		Representative Holman	X	
Representative Martinson	X		Representative Mock		X
Representative Meier	X				
Representative Monson	X				
Representative Nathe		X			
Representative J. Nelson	X				
Representative Sanford	X				
Representative Schatz		X			
Representative Schmidt		X			

Total (Yes) 14 No 7

Absent 0

Floor Assignment Representative Kempenich

**Motion Carries**

**REPORT OF STANDING COMMITTEE**

**HB 1264: Appropriations Committee (Rep. Delzer, Chairman)** recommends **DO NOT PASS** (14 YEAS, 7 NAYS, 0 ABSENT AND NOT VOTING). HB 1264 was placed on the Eleventh order on the calendar.

**2019 TESTIMONY**

**HB 1264**

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#1  
P.1

## HB 1264 Testimony

Mr. Chairman, members of the committee: for the record, Representative Jake Blum, District 42 in north Grand Forks. I hope for all of your sake that this will be a relatively “speedy” hearing.

This morning, I bring before you House Bill 1264, which would raise the speed limit on our interstate network from 75 to 80 miles per hour and 70 to 75 miles per hour on our multilane highways, respectively.

This committee has seen variations of this proposed legislation before, and the committee has been receptive and supportive of said legislation in the past. This time around, I wish to highlight the reasoning and the rationale on why North Dakota should join a myriad of other pro-business and innovative states that have taken this step, and why it’s time for us to do the same.

The reality is that the crux of this bill centers around efficiency. North Dakota is a relatively large state with wide-open spaces, and long distances to travel. Our state is a corridor of commerce, boasting one of the most pre-eminent agricultural and energy industries in the nation, and as a result--the entire world. This legislation reflects this, and will allow for more efficient travel as folks are legally allowed to get to their destination faster, without detriment to our collective safety. A substantial portion of our workforce travels the vast expanse of our state regularly as it stands, and would certainly agree.

To date, portions of Idaho, Montana, Nevada, South Dakota, Texas, Utah, and Wyoming’s road networks have a speed limit of 80 miles per hour. Despite the increase in speed, the data I’ve accessed and collected (which is accessible via the

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Federal Department of Transportation) has shown traffic fatalities matching the average rate, or even demonstrating a slight decrease upon the implementation of this gradual increase in speed in these aforementioned states.

There is no substantive reason to believe North Dakota would be any different. The fact of the matter is that modern vehicles are so technologically advanced and safe at this point, that they are specifically built for sustained speeds and travel.

Yes, we deal with extreme weather conditions here in North Dakota. However, we all know how to react and deal with these conditions when necessary. People will continue to drive at the speed in which they feel comfortable, and they will do so safely and prudently—as they already are.

In regard to this bill's fiscal note, I look forward to the Department of Transportation breaking down and shedding light on why they've determined the projected cost is where it is. Their representatives would certainly be better suited to answer those questions than myself.

All things considered, I would urge the committee to recognize the fact that a gradually higher speed limit will not result in a more unsafe traffic environment. This legislation has been successful nationwide, fully demonstrating that reality, including in highly-populated states like Texas.

North Dakota continues to be a leader in innovation, industry, commerce, and a guidepost for technology and efficiency. I hope the committee will reinforce that status by issuing a "DO PASS" recommendation on House Bill 1264.

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Thank you for your time this morning, and with that, Mr. Chairman, members of the committee, I will stand for any questions.

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HB 1264

Mr. Chairman and Members of the House Transportation Committee, thanks for the opportunity to testify in front of your committee. My name is Rep. Ben Koppelman, and I represent District 16 in West Fargo. I am here to provide support testimony in favor of HB 1264, which would raise speed limit on interstates from 75 to 80 MPH and state and US divided 4-lane highways from 70 to 75 MPH. It will continue to allow the cities located along these corridors to continue to control the speed of the sections of these highways where they pass through city limits. I believe the intent of the bill is to not interfere with DOT's ability to reduce speed in areas of highly dangerous highway on a case-by-case basis if there is not a reasonable way to make it safe at the full speed limit.

Six of our neighboring states already have interstate speeds of 80 MPH, and they are all contiguous to each other as they are to us. These states are SD, MT, WY, ID, UT, and NV. Texas has highways at 80 MPH and even some at 85 MPH. The irony here is that we probably have the highways with the least number of curves and hills.

Some would say that the prevailing speed limit is already 80 to 82 MPH on the interstates, and that if we increase the speed limit from 75 to 80 MPH that everyone would automatically drive in excess of 85 MPH. I disagree with that assessment. Although that is a possibility, I believe that if this bill is enacted, that law enforcement would likely reduce how many miles over the speed limit they would allow before ticketing. Also, studies have shown that as speed limit increase, drivers do not necessarily increase their speed by the same amount. For example, back when interstate speed limits were 55 MPH, it was not uncommon to have drivers going 10-15 miles over the limit, whereas now 5 MPH over is more common.

Some have criticized this proposal by saying, 'Everyone is already driving 5 MPH over the speed limit on these highways, why should we raise the limit? Is it that you want to drive 85 on the interstate?' To those questions I respond with this: As members of the Legislative branch, it is

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our responsibility to set policy, and it is the responsibility of the executive branch to decide how to execute that policy. Now, I am not here to criticize the Highway Patrol or other law enforcement, but rather to recognize the separation of powers in our government. Therefore, it is my contention that since it appears that the roads continue to be safe with a prevailing speed of 5 MPH over the limit now that we should raise the limits to that point, and let the administrative branch decide if there should be any grace to those limits based on safety and other factors.

The Federal Highway Administration, the National Cooperative Highway Research Program, and the Institute of Transportation Engineers all recommend using the 85% rule to determine speed limits. That rule states that if more than 85% of the regular traffic drives above the Posted Speed Limit, then steps should be taken to raise the limit. In my experience, the prevailing speed on these highways is about 5 MPH over the respective limits. Why does the 85% rule work? Raising the limit causes slower traffic to move up to the prevailing speed and brings a more uniform traffic flow.

A study in Utah following their increase to 80 MPH found a 20% reduction in the number of people driving more than 80 MPH. The study showed that in some places the average speed increased by 2 MPH and in another area it went down 2 MPH. The overall effect was no change in the average speed. Utah is now looking at increases in the speed limits on their rural roads. The bottom line is People drive the speed that they feel safe and comfortable at, not the speed limit.

Some will argue that everyone will just drive 85 MPH on interstates, but the violation statistics show that that just hasn't happened. If we use our sister state of South Dakota as an example, before the change in interstate speed limit from 75 to 80 MPH, there was an average of 2,800 speeding violations per month. After the change, that number dropped to 20 per month. At an average of \$50 per ticket, that is a reduction in fines that drivers paid from \$1.68M to \$12k. SD residents are now saving \$1.67M per year. In ND, we issued 4,400 tickets per month in 2016-

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half again more than SD did prior to their 80 MPH change. There is no doubt that the taxpayers of ND will see some additional upfront costs to implement the new speed limits, but I believe with the costs of fewer traffic stops and less fines paid, the citizens of ND will realize a net benefit from this change.

Mr. Chairman and members of the committee, this bill will save our citizens time and money. It will not result in an increase in our prevailing speed and it is not likely to change our traffic accident statistics related to speed in a negative way (See attachments). It does have the potential of reducing the number of traffic stops each year which would reduce the safety risk to our law enforcement. I respectfully request a DO-PASS recommendation from the committee. Thank You for your time.



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Traffic Safety Performance (Core Outcome) Measures\* For North Dakota

Core Outcome Measures		Year									
		2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
Traffic Fatalities	Total (C-1) <i>139 AVG</i>	104	140	105	148	170	148	135	131	113	115
	Rural <i>126 AVG</i>	92	135	93	132	146	138	116	122	106	103
	Urban	12	5	12	16	24	10	19	9	7	9
	Unknown	0	0	0	0	0	0	0	0	0	3
Fatalities Per 100 Million VMT**	Total (C-3)	1.33	1.72	1.27	1.62	1.69	1.47	1.28	1.31	1.16	
	Rural	1.64	2.29	1.56	1.95	1.91	1.84	1.47	1.67	1.55	
	Urban	0.54	0.22	0.52	0.68	0.98	0.39	0.72	0.33	0.24	
Passenger Vehicle Occupant Fatalities (All Seat Positions)	Total	74	119	73	114	131	112	105	100	77	82
	Restrained	17	39	20	30	40	28	29	29	21	28
	Unrestrained (C-4)	54	74	46	76	89	66	71	63	48	44
	Unknown	3	6	7	8	2	18	5	8	8	10
Alcohol-Impaired Driving Fatalities (BAC=.08+)***(C-5)		47	54	46	63	72	61	55	51	52	46
Speeding-Related Fatalities (C-6) <i>44 AVG/27</i>			32	42	51	62	59	50	43	25	28
Motorcyclist Fatalities	Total (C-7)	13	7	15	14	16	9	10	8	12	
	Helmeted	3	0	3	4	4	5	1	5	2	3
	Unhelmeted (C-8)	10	7	12	10	11	3	9	3	10	9
	Unknown	0	0	0	0	1	1	0	0	0	0
Drivers Involved in Fatal Crashes	Total	137	168	144	187	218	213	176	166	138	146
	Aged Under 15	2	0	0	0	0	1	2	2	0	0
	Aged 15-20	20	20	17	22	23	20	21	14	15	15
	Aged Under 21 (C-9)	22	20	17	22	23	21	23	16	15	15
	Aged 21 and Over	115	147	124	165	195	192	152	150	123	130
	Unknown Age	0	1	3	0	0	0	1	0	0	1
Pedestrian Fatalities (C-10)		6	4	7	9	7	1	9	7	7	5
Bicyclist and Other Cyclist Fatalities**** (C-11)		1	1	1	1	0	1	3	1	3	2
Observed Seat Belt Use**** (B-1) <i>82 AVG</i>		81.6	81.5	74.8	76.7	80.9	77.7	81.0	80.4	82.8	79.3

\*These Performance Measures Were Developed By The National Highway Traffic Safety Administration (NHTSA) and the Governors Highway Safety Association (GHSA) (See Publication: DOT HS 811 025)

\*\*2017 State Vehicle Miles Traveled (VMT) Data is Not Yet Available

\*\*\*Based on the BAC of All Involved Drivers and Motorcycle Riders (Operators) Only \*\*\*\*North Dakota Data: State Survey

\*\*\*\*\*On March 11th, 2014 GHSA and NHTSA agreed on bike fatalities as a newly required performance core measure

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Traffic Safety Performance (Core Outcome) Measures\* For South Dakota

Core Outcome Measures		Year									
		2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
Traffic Fatalities	Total (C-1) <i>131 AVG</i>	121	131	140	111	133	135	136	134	116	129
	Rural <i>113 AVG</i>	108	120	127	96	117	118	115	114	103	109
	Urban	13	11	13	15	16	17	21	20	13	20
	Unknown	0	0	0	0	0	0	0	0	0	0
Fatalities Per 100 Million VMT**	Total (C-3)	1.35	1.48	1.58	1.23	1.46	1.48	1.47	1.44	1.22	
	Rural	1.69	1.93	2.00	1.48	1.81	1.84	1.79	1.75	1.55	
	Urban	0.50	0.42	0.52	0.59	0.61	0.63	0.75	0.71	0.45	
Passenger Vehicle Occupant Fatalities (All Seat Positions)	Total	93	108	94	85	98	100	102	94	81	95
	Restrained	28	28	28	21	30	32	29	27	20	24
	Unrestrained (C-4)	60	76	60	52	60	61	69	60	58	64
	Unknown	5	4	6	12	8	7	4	7	3	7
Alcohol-Impaired Driving Fatality (BAC=.08+)***(C-5)		35	54	37	33	44	41	44	44	45	35
Speeding-Related Fatalities (C-6) <i>35 AVG</i>		38	41	32	37	39	38	30	31	37	31
Cyclist Fatalities	Total (C-7)	15	16	27	14	25	22	17	31	22	16
	Helmeted	4	2	7	3	4	7	5	9	6	6
	Unhelmeted (C-8)	11	14	20	11	21	15	11	22	15	10
	Unknown	0	0	0	0	0	0	1	0	1	0
Drivers Involved In Fatal Crashes	Total	147	143	184	136	174	182	179	168	138	158
	Aged Under 15	1	1	0	1	1	1	3	2	2	1
	Aged 15-20	22	19	21	15	18	15	20	12	18	9
	Aged Under 21 (C-9)	23	20	21	16	19	16	23	14	20	10
	Aged 21 and Over	123	123	163	120	155	165	155	154	118	148
	Unknown Age	1	0	0	0	0	1	1	0	0	0
Pedestrian Fatalities (C-10)		10	4	9	7	2	9	9	6	6	10
Bicyclist and Other Cyclist Fatalities***** (C-11)		0	0	2	1	0	0	2	1	0	0
Observed Seat Belt Use**** (B-1) <i>70% Avg</i>		71.8	72.1	74.5	73.4	66.5	68.7	68.9	73.6	74.2	74.8

\*These Performance Measures Were Developed By The National Highway Traffic Safety Administration (NHTSA) and the Governors Highway Safety Association (GHSA) (See Publication: DOT HS 811 025)

\*\*2017 State Vehicle Miles Traveled (VMT) Data is Not Yet Available

\*\*\*Based on the BAC of All Involved Drivers and Motorcycle Riders (Operators) Only \*\*\*\*South Dakota Data: State Survey

\*\*\*\*\*On March 11th, 2014 GHSA and NHTSA agreed on bike fatalities as a newly required performance core measure

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U.S. Department of Transportation

National Highway Traffic Safety Administration

Traffic Safety Performance (Core Outcome) Measures\* For Montana

Core Outcome Measures		Year									
		2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
Traffic Fatalities	Total (C-1) <i>208 Avg</i>	229	221	189	209	205	229	192	224	190	186
	Rural <i>193 Avg</i>	211	203	177	179	191	224	178	200	170	167
	Urban	18	18	12	29	14	5	14	24	19	19
	Unknown	0	0	0	1	0	0	0	0	1	0
Fatalities Per 100 Million VMT**	Total (C-3)	2.12	2.01	1.69	1.79	1.72	1.90	1.58	1.81	1.51	
	Rural	2.57	2.44	2.11	2.05	2.15	2.68	2.11	2.34	1.95	
	Urban	0.69	0.67	0.43	0.99	0.47	0.14	0.38	0.63	0.49	
Passenger Vehicle Occupant Fatalities (All Seat Positions)	Total	167	163	147	164	157	161	145	170	146	143
	Restrained	46	58	51	51	42	50	40	47	47	53
	Unrestrained (C-4)	117	100	90	109	113	108	99	114	94	86
	Unknown	4	5	6	4	2	3	6	9	5	4
Alcohol-Impaired Driving Fatalities (BAC=.08+)** (C-5)		90	81	72	82	89	93	73	76	84	56
Speeding-Related Fatalities (C-6) <i>74 Avg</i>		72	86	68	75	88	76	52	91	61	59
Motorcyclist Fatalities	Total (C-7)	36	26	25	20	30	35	23	24	17	
	Helmeted	14	6	11	9	9	12	10	5	5	9
	Unhelmeted (C-8)	20	20	14	10	21	22	12	18	12	14
	Unknown	2	0	0	1	0	1	1	1	0	0
Drivers Involved in Fatal Crashes	Total	284	271	216	260	250	266	223	267	212	228
	Aged Under 15	2	1	1	1	2	0	1	1	1	0
	Aged 15-20	30	40	29	23	26	24	25	34	18	24
	Aged Under 21 (C-9)	32	41	30	24	28	24	26	35	19	24
	Aged 21 and Over	251	230	185	235	220	241	196	232	191	204
	Unknown Age	1	0	1	1	2	1	1	0	2	0
Pedestrian Fatalities (C-10)		11	15	8	15	8	24	10	14	11	14
Bicyclist and Other Cyclist Fatalities**** (C-11)		3	1	0	1	1	1	2	1	3	1
Observed Seat Belt Use**** (B-1) <i>75% Avg</i>		79.3	79.2	78.9	76.9	76.3	74.0	74.0	77.0	76.0	78.0

\*These Performance Measures Were Developed By The National Highway Traffic Safety Administration (NHTSA) and the Governors Highway Safety Association (GHSA) (See Publication: DOT HS 811 025)

\*\*2017 State Vehicle Miles Traveled (VMT) Data is Not Yet Available

\*\*\*Based on the BAC of All Involved Drivers and Motorcycle Riders (Operators) Only \*\*\*\*Montana Data: State Survey

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From: Henke, Ron J. rhenke@nd.gov  
Subject: HB 1264  
Date: Jan 23, 2019 at 10:54:43 AM  
To: Koppelman, Ben bkoppelman@nd.gov  
Cc: Sorel, Thomas K. tsorel@nd.gov, Fode, Bob A. bfode@nd.gov,  
Nelson, Mark A. mnelson@nd.gov

---

Representative Ben Koppelman,

The other day you had requesting some information on how the Department came up with the fiscal note information on HB 1264 and also for a list of projects that we see being impacted for the upcoming biennium.

Attached is the information you were looking for on the breakdown of sign cost.

Below is the list of projects:

Location: I-94, W Eckelson East to E ND 1 (Oakes) EB  
Bid Opening: 10/19/2018

Location: I-29, N of Galchutt Exit to Christine Exit - NB  
Bid Opening: 2/8/2019

Location: I-94, Youngmans Butte to 2 Miles West of Eagles Nest - WB  
Bid Opening: 2/8/2019

Location: I-29, Hunter Sep to near Blanchard - NB  
Bid Opening: 8/15/2019

Location: I-29, Hunter Sep to near Blanchard - SB  
Bid Opening: 11/13/2020

Ron Henke, P.E.  
Deputy Director for Engineering  
North Dakota Department of Transportation  
608 E. Boulevard Ave.  
Bismarck, ND 58505-0700  
701-328-2584  
rhenke@nd.gov

**COST ESTIMATE FOR CONTRACTOR INSTALLED**  
**INCREASED SPEED LIMIT SIGNS**

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	Item	Material	Labor	Total (Per Unit)	Units	Total
Interstate	Speed Limit New Sign	\$1,830 (1)	\$1,670 (1)	\$3,500	20 (2)	\$70,000
	Speed Limit Replace Sign	\$290 (3)	\$360 (3)	\$650	180 (4)	\$117,000
4-Lane	Speed Limit New Sign	\$584 (5)	\$416 (5)	\$1,000	0 (2)	\$0
	Speed Limit Replace Sign	\$246 (6)	\$254 (6)	\$500	200 (4)	\$100,000

- (1) Includes cost for concrete foundation (\$2,000/CY), pipe support (\$65/LF), sign backing, reflective sheeting, mobilization, and traffic control.
- (2) Estimated number of new signs needed to maintain maximum allowable reduction in speed change zones (20 mph max) and to replace damaged signs/foundations.
- (3) Includes cost for sign backing, reflective sheeting, mobilization, and traffic control.
- (4) Number of units based on RIMS sign inventory.
- (5) Includes cost for perforated tube support, sign backing, reflective sheeting, mobilization, and traffic control.
- (6) Sign size for speed limit sign on 4 Lane Divided is 3'x4' and sign size on Interstate is 4'x5'.

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**CAUTION:** This email originated from an outside source. Do not click links or open attachments unless you know they are safe.

Gentlemen,

The cost to replace the signage on the interstate was \$22,700 (\$12,080 for labor and \$10,620 for materials). The costs for material is broken down as follows:

- 92 Speed Limit 80 signs (48"x60") at a cost of \$99.80 each
- 32 tabs to cover the "75" numerals with "80" – for a total cost for tabs of \$990.

Please note that we get our signs from the SD Petitionary – they are somewhat cheaper than if we were to purchase from a private sign business.

In regards to design and need to reconstruct sections - we do have sections on the interstate that do not meet today's newer design standards. Many of these sections are at the ramps (acceleration and deceleration). The agreement with FHWA for these locations was to defer bringing them up to standards and wait until the pavement life is over. Part of the review is to complete a design exception via FHWA. As stated on the telephone, FHWA changed the requirements for all the criteria needed to be reviewed for when a design exception is requested. The number of controlling design elements (criteria) went from 13 to 10. Speed remained one of the controlling factors.

When the law was enacted in SD, we did a review of each section and identified locations that did not meet the 80 mph operating speed. As part of this review, we also reviewed the crash rates. This data was used to determine where we thought it was appropriate to not increase the speed limit. This went before our Transportation Commission, who has authority to reduced speed limits from the statutory set speeds and then make changes according to the administrative rule process. This resulted in some sections being reduced back to 75mph.

We understand you have the crash data. Hope this helps.

Joel Jundt

Deputy Secretary

SD Dept of Transportation

[joel.jundt@state.sd.us](mailto:joel.jundt@state.sd.us)

605.773.5105

**From:** Representative Latterell, Isaac <[isaac@isaaclatterell.com](mailto:isaac@isaaclatterell.com)>

**Sent:** Wednesday, January 16, 2019 8:35 AM

**To:** Jundt, Joel <[Joel.Jundt@state.sd.us](mailto:Joel.Jundt@state.sd.us)>

**Cc:** Koppelman, Ben <[bkoppelman@nd.gov](mailto:bkoppelman@nd.gov)>

**Subject:** Re: [EXT] FW: Rep. Latterell Request for 80mph Speed Limit Information

Joel, just following up to see if you have found any information that might be helpful. One easy metric I would like would be highway crash and death statistics from the two years

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GOVERNOR'S OFFICE OF  
BUDGET AND PROGRAM PLANNING

## Fiscal Note 2017 Biennium

**Bill #** SB0375

**Title:** Revise highway speed limits and heavy truck and tr ck tractor speed limits

**Primary Sponsor:** Sales, Scott

**Status:** As Introduced

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Significant Local Gov Impact     | <input checked="" type="checkbox"/> Needs to be included in HB 2 | <input type="checkbox"/> Technical Concerns              |
| <input type="checkbox"/> Included in the Executive Budget | <input type="checkbox"/> Significant Long-Term Impacts           | <input type="checkbox"/> Dedicated Revenue Form Attached |

### FISCAL SUMMARY

	<u>FY 2016 Difference</u>	<u>FY 2017 Difference</u>	<u>FY 2018 Difference</u>	<u>FY 2019 Difference</u>
<b>Expenditures:</b>				
General Fund	\$0	\$0	\$0	\$0
State Special Revenue	\$453,394	\$6,465	\$0	\$0
Federal Special Revenue	\$66,277	\$58,180	\$0	\$0
<b>Revenue:</b>				
General Fund	\$46,809	\$47,511	\$48,224	\$48,947
State Special Revenue	\$0	\$0	\$0	\$0
Federal Special Revenue	\$0	\$0	\$0	\$0
<b>Net Impact-General Fund Balance:</b>	<u>\$46,809</u>	<u>\$47,511</u>	<u>\$48,224</u>	<u>\$48,947</u>

**Description of fiscal impact:** SB 375 increases the maximum speed limit on federal-aid interstate highways from 75 MPH to 80 MPH and increases the penalties assessed for violation of speed limits. The bill states that the commission may temporarily set speed limits on these corridors until the engineering and traffic investigation is completed. Implementation of the bill will require the Montana Department of Transportation (MDT) to collect and analyze safety data or recalibrate existing safety data and update engineering plans for proper placement of curve warning signs only on the interstate highway system and replace existing speed zone signs. SB 375 increases the fine for speeding violations which will have an effect on state and county fine revenues.

FISCAL ANALYSIS

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**Assumptions:**

**Montana Department of Transportation (MDT)**

1. MDT's construction engineering staff will recollect and recalibrate safety data for the Butte and Missoula districts for highway curve warning sign placement and make changes to current curve sign locations for projects already designed and constructed.
2. Engineering staff working on the highway construction projects in the Great Falls, Glendive, and Billings districts can recalibrate highway project data and incorporate that data into construction engineering plans to ensure curve warning signs are placed in the proper location initially.
3. Highway design manuals will require updating to address the change in speed.
4. MDT has approximately 500 interstate speed limit signs regulating passenger vehicles and 500 interstate speed limit signs regulating trucks and 2,000 day and night speed limit signs on the other highways regulating trucks.
5. The construction program will incur \$21,937 for engineering personal services costs in FY 2016 and \$18,399 in FY 2017. Operating costs are \$51,704 for FY 2016 and \$46,246 in FY 2017 which includes leasing electronic curve data devices in FY 2016 at \$5,000 and the contracted services of a consultant to complete a speed study at the costs of \$31,200 in FY 2016 and FY 2017.
6. The following assumptions are made assuming all of the signs will be replaced.
7. It is assumed the MDT will not be able to make and install all 3,000 speed limit signs during FY 2016. In order to replace all the signs in FY 2016 the interstate signs will be ordered from a sign manufacturer. The MDT Sign Shop will make the non-interstate signs. MDT Maintenance personnel will install the interstate signs and non-interstate signs.
8. The average cost of purchasing the signs and labor and equipment to install the 500 passenger vehicle interstate speed limit signs and the 500 truck interstate speed limit signs is approximately \$245.55 per sign. The total cost for the 1,000 interstate speed limit signs will be approximately \$245,550.
9. The average cost of labor, equipment and material for the 2,000 day and night speed limit signs for trucks on non-interstate highways are approximately \$100.24 per sign. The total cost for the non-interstate truck speed limit signs is approximately \$200,480.
10. MDT Maintenance assumes that the current posts used for the current signs will be reused for the new signs. Both the passenger vehicle and truck interstate speed limit signs will be changed at the same time since they are mounted on the same post. Both truck day and night time speed limit signs on non-interstate highways will be changed at the same time since they are mounted on the same post.
11. This fiscal note shows the maximum fiscal impact for the replacement of all existing speed limit signs required in SB 375. There may be other impacts based on engineering and traffic investigations and curve speed studies.

**Department of Justice (DOJ)**

12. Section 4 of the bill increases the fines for speeding violations.
13. The 3 year average amount of citations issued between 2012 and 2014 is 24,982.
14. The department assumes that only 30% of all citations issued will result in increased revenue to the general fund. Of the 30% revenue, 50% remains in the county where the citation was written and the remaining amount is received by the state general fund.
15. The fiscal note assumes that 8,245 citations will be issued for speeds between 86-95 MPH. The total additional general fund revenue is estimated at \$37,101.  
(8,245 citations \* \$30 increased fine = \$247,340 \* 30% collectible = 74,202 \* 50% state share = \$37,101).
16. The fiscal note assumes that 676 citations will be issued for speeds between 96-100 MPH. The total additional general fund revenue is estimated at \$5,073.

**Fiscal Note Request – As Introduced**

(676 citations \* \$50 increased fine = \$33,817 \* 30% collectible = 10,145 \* 50% state share = \$5,073).

17. The fiscal note assumes that 309 citations will be issued for speeds over 100 MPH. The total additional general fund revenue is estimated at \$4,635.

(309 citations \* \$100 increased fine = \$30,900 \* 30% collectible = 9,270 \* 50% state share = \$4,635).

	<u>FY 2016</u> <u>Difference</u>	<u>FY 2017</u> <u>Difference</u>	<u>FY 2018</u> <u>Difference</u>	<u>FY 2019</u> <u>Difference</u>
<b><u>Fiscal Impact:</u></b>				
<b><u>Expenditures:</u></b>				
Personal Services (MDT)	\$236,635	\$18,399	\$0	\$0
Operating Expenses (MDT)	\$283,036	\$46,246	\$0	\$0
<b>TOTAL Expenditures</b>	<u>\$519,671</u>	<u>\$64,645</u>	<u>\$0</u>	<u>\$0</u>
<b><u>Funding of Expenditures:</u></b>				
General Fund (01)	\$0	\$0	\$0	\$0
State Special Revenue (02)	\$453,394	\$6,465	\$0	\$0
Federal Special Revenue (03)	\$66,277	\$58,180	\$0	\$0
<b>TOTAL Funding of Exp.</b>	<u>\$519,671</u>	<u>\$64,645</u>	<u>\$0</u>	<u>\$0</u>
<b><u>Revenues:</u></b>				
General Fund (01) (DOJ)	\$46,809	\$47,511	\$48,224	\$48,947
State Special Revenue (02)	\$0	\$0	\$0	\$0
Federal Special Revenue (03)	\$0	\$0	\$0	\$0
<b>TOTAL Revenues</b>	<u>\$46,809</u>	<u>\$47,511</u>	<u>\$48,224</u>	<u>\$48,947</u>
<b><u>Net Impact to Fund Balance (Revenue minus Funding of Expenditures):</u></b>				
General Fund (01)	\$46,809	\$47,511	\$48,224	\$48,947
State Special Revenue (02)	(\$453,394)	(\$6,465)	\$0	\$0
Federal Special Revenue (03)	(\$66,277)	(\$58,180)	\$0	\$0

**Effect on County or Other Local Revenues or Expenditures:**

1. The bill will require minimal investment by individual counties – replacing speed signs (materials & labor).
2. Counties will receive increased revenue as a result of the increased fines in the bill.

<i>Sponsor's Initials</i>	<i>Date</i>	<i>Budget Director's Initials</i>	<i>Date</i>
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From: Joseph, Christopher [cjoseph@nd.gov](mailto:cjoseph@nd.gov)  
Subject: FW: Traffic statistics  
Date: Jan 22, 2019 at 9:33:59 AM  
To: Koppelman, Ben [bkoppelman@nd.gov](mailto:bkoppelman@nd.gov)

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Good morning Representative Koppelman,

I spoke with both the MT and SD Department of Transportation. South Dakota will email me their cost of implementing Senate Bill No. 1 (2015) and Montana said the fiscal note I sent you this past Friday is an accurate reflection of the cost of implementation and that's all they would be able to send me reflecting the cost. Once I hear back from South Dakota, I will forward the information I get to you.

Sincerely,

**Christopher S. Joseph**  
Legal Counsel  
North Dakota Legislative Council  
600 East Boulevard Ave  
Bismarck, ND 58505  
(701) 328-2916  
[cjoseph@nd.gov](mailto:cjoseph@nd.gov)

**From:** Joseph, Christopher  
**Sent:** Monday, January 21, 2019 10:16 AM  
**To:** Koppelman, Ben <[bkoppelman@nd.gov](mailto:bkoppelman@nd.gov)>  
**Subject:** RE: Traffic statistics

Good morning Representative Koppelman,

I attempted to contact the highway maintenance divisions within the South Dakota and Montana DOT this morning. Both offices are closed for the holiday. I will attempt to contact them again tomorrow to inquire about the information you requested below.

Sincerely,

**Christopher S. Joseph**  
Legal Counsel  
North Dakota Legislative Council  
600 East Boulevard Ave  
Bismarck, ND 58505  
(701) 328-2916  
[cjoseph@nd.gov](mailto:cjoseph@nd.gov)

**From:** Koppelman, Ben <[bkoppelman@nd.gov](mailto:bkoppelman@nd.gov)>