

**2023 SENATE TRANSPORTATION**

**SB 2168**

# 2023 SENATE STANDING COMMITTEE MINUTES

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

SB 2168  
1/19/2023

Relating to the amount of fees for speeding violations; and relating to city fines and penalties; and to provide a penalty.
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**9:00 AM Chairman Clemens** opened hearing.

Senators Present: Clemens, Conley, Larsen, Paulson, Rummel.

**Discussion Topics:**

- Fines
- Crashes data
- Neighboring states speed limits
- Non-speed related crashes
- Punishments for speeding

**9:01 AM Senator Rummel** introduced bill. #13524

**9:06 AM Wade Kadrmas, Chair for the Vision Zero Speeding/Aggressive Driving Priority Emphasis Area Team**, testified in favor. #14323 #14324

**9:27 AM Jacob Jones, State Highway Patrol Trooper**, testified in favor. #14383

**9:33 AM Karin Mongeon, Highway Safety Director, ND Department of Transportation**, testified in favor. #14447

**9:36 AM Donnelle Preskey, ND Association of Counties**, testified in favor.

**Additional written testimony:**

Gene Ladoucer #14328

**9:41 AM Chairman Clemens** adjourns meeting.

*Nathan Liesen, Committee Clerk*

# 2023 SENATE STANDING COMMITTEE MINUTES

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

SB 2168  
1/20/2023

Relating to the amount of fees for speeding violations; and relating to city fines and penalties; and to provide a penalty.
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**10:54 AM Chairman Clemens** opened hearing.  
Senators Present: **Paulson, Rummel, Larsen, Conley, Clemens.**

**Discussion Topics:**

- Committee Action

**10:56 AM Senator Conley** moved a Do Pass on SB 2168.

**10:56 AM Senator Rummel** seconded.

Roll call taken.

<b>Senators</b>	<b>Vote</b>
Senator David A. Clemens	Y
Senator Cole Conley	Y
Senator Doug Larsen	N
Senator Bob Paulson	Y
Senator Dean Rummel	Y

Motion passed 4-1-0

**10:59 AM Senator Rummel** will carry.

**11:00 AM Chairman Clemens** adjourned meeting.

*Nathan Liesen, Committee Clerk*

**REPORT OF STANDING COMMITTEE**

**SB 2168: Transportation Committee (Sen. Clemens, Chairman)** recommends **DO PASS** (4 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2168 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

**2023 HOUSE TRANSPORTATION**

**SB 2168**

# 2023 HOUSE STANDING COMMITTEE MINUTES

**Transportation Committee**  
Room JW327E, State Capitol

SB 2168  
3/3/2023

A bill relating to the amount of fees for speeding violations and relating to city fines and penalties.
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**Chairman Ruby** opened the hearing at 9:00AM.

**Members present:** Chairman Ruby, Vice Chairman Grueneich, Representatives Anderson, Christensen, Dyk, Frelich, Hauck, Murphy, Timmons, Wagner, Weisz, Dakane.  
**Members absent:** Representative Koppelman and Dobervich.

**Discussion Topics:**

- Speeding penalties
- Vision Zero
- Speed related crashes

**Senator Rummel** introduced the bill in support (#21812).

**Wade Kadrmas, Chair of the Vision Zero Speeding and Aggressive Driving Priority Emphasis Area Team and Safety and Education Officer with the North Dakota Highway Patrol**, testified in support (#21734).

**Jacob Jones, Trooper and Crash Reconstructionist with the North Dakota Highway Patrol**, testified in support (#21889 and 21888).

**Karin Mongeon, Highway Safety Division Director with the North Dakota Department of Transportation**, testified in support (#21833).

**Frank Senn, Chief of Police for the City of Beulah**, verbally testified in support.

**Chairman D. Ruby** closed the hearing at 10:03AM.

*Mary Brucker, Committee Clerk*

# 2023 HOUSE STANDING COMMITTEE MINUTES

**Transportation Committee**  
Room JW327E, State Capitol

SB 2168  
3/17/2023  
Subcommittee

A bill relating to the amount of fees for speeding violations and relating to city fines and penalties.
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**Representative Koppelman** opened the meeting at 10:32AM.

**Present:** Representative Koppelman, Representative Christensen, and Representative Timmons. No members absent.

**Discussion Topics:**

- Penalties on speeding violations

**Chairman Koppelman** discussed what the bill does and asked for suggestions on how to proceed.

**Representative Christensen** suggested to distinguish between interstate and county speeding violations and offenses.

**Representative Timmons** agreed.

**Chairman Koppelman** adjourned at 10:35AM.

*Mary Brucker, Committee Clerk*

# 2023 HOUSE STANDING COMMITTEE MINUTES

**Transportation Committee**  
Room JW327E, State Capitol

SB 2168  
3/23/2023  
Subcommittee Meeting

A bill relating to the amount of fees for speeding violations and relating to city fines and penalties.
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**Chairman Koppelman** opened the meeting at 8:08 AM.

**Members present:** Chairman Koppelman, Representative Christensen, and Representative Timmons.

**Discussion Topics:**

- Speed limit fines and penalties
- Fee schedules
- Zones and penalties

**Senator Rummel** shared information with the subcommittee. Recommended to add a column in the fines for an 80 mile an hour speed. Recommended a fee schedule that works.

**Wade Kadrmas, Safety and Education Officer with the North Dakota Highway Patrol,** distributed information on fees and penalties (#26447).

**Stephanie Dassinger Engebretson, North Dakota League of Cities,** provided information on cities and their fines, as well as answered questions from the committee.

**Wade Kadrmas** continued with his testimony.

**Chairman Koppelman** adjourned at 8:46 AM.

*Mary Brucker, Committee Clerk*



# 2023 HOUSE STANDING COMMITTEE MINUTES

**Transportation Committee**  
Room JW327E, State Capitol

SB 2168  
3/24/2023  
Subcommittee

A bill relating to the amount of fees for speeding violations and relating to city fines and penalties.
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**Chairman Koppelman** opened the meeting at 8:18 AM.

**Members present:** Chairman Koppelman, Representative Christensen, and Representative Timmons.

**Discussion Topics:**

- Speed zones
- Fee structure

**Wade Kadrmas, Safety and Education Officer with the North Dakota Highway Patrol,** distributed information on the fee structure (#27014) and further explained information from the handouts on March 23, 2023 (#26447).

**Chairman Koppelman** adjourned at 8:48 AM.

*Mary Brucker, Committee Clerk*

# 2023 HOUSE STANDING COMMITTEE MINUTES

**Transportation Committee**  
Room JW327E, State Capitol

SB 2168  
3/30/2023  
Subcommittee Meeting

A bill relating to the amount of fees for speeding violations and relating to city fines and penalties.
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**Chairman Koppelman** opened the meeting at 9:03 AM.

**Members present:** Chairman Koppelman, Representative Christensen, Representative Timmons.

**Discussion Topics:**

- Speeding fines
- Rate structure
- Seatbelt use
- 80 mph speed limit
- Road closures

**Chairman Koppelman** distributed proposed amendments #27051 and #27052 regarding speeding fines with a rate structure and fee schedule and regarding safety belt use for passengers. Discussed adding some language from HB 1475 to this bill. Also discussed adding language about road closures to this bill.

Committee discussion.

**Chairman Koppelman** adjourned at 9:28 AM.

*Mary Brucker, Committee Clerk*

# 2023 HOUSE STANDING COMMITTEE MINUTES

**Transportation Committee**  
Room JW327E, State Capitol

SB 2168  
3/31/2023  
Subcommittee Meeting

A bill relating to the amount of fees for speeding violations and relating to city fines and penalties.
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**Chairman Koppelman** opened the meeting at 9:04 AM.

**Members present:** Chairman Koppelman, Representative Christensen, Representative Timmons.

**Discussion Topics:**

- Road closure authority
- Seat belt liability

**Chairman Koppelman** distributed information from Colonel Brandon Solberg, testimony #27140.

**Casey Orvedal, Legislative Intern**, went over possible amendments to include Wade Kadrmas' suggested amendments, 80 mph speed limit, and road closures.

**Chairman Koppelman** adjourned at 9:16 AM.

*Mary Brucker, Committee Clerk*

# 2023 HOUSE STANDING COMMITTEE MINUTES

**Transportation Committee**  
Room JW327E, State Capitol

SB 2168  
4/6/2023  
Subcommittee Meeting

A bill relating to the amount of fees for speeding violations and relating to city fines and penalties.
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**Chairman Koppelman** opened the meeting at 9:22 AM.

**Members present:** Chairman Koppelman, Representative Christensen, and Representative Timmons.

**Discussion Topics:**

- Proposed amendments 23.0674.01001
- Speed limit fines
- 80 mph speed limit
- Seat belts use and citations

**Chairman Koppelman** distributed a fee schedule and proposed amendments 23.0674.01001 (#27330 and 27331).

**Representative Timmons** moved to adopt the amendment and bring it to the full committee.

**Representative Christensen** seconded the motion.

**Roll call vote:**

Chairman Koppelman	Y
Representative Christensen	Y
Representative Timmons	Y

**Motion carried 3-0-0**

**Chairman Koppelman** adjourned at 9:29 AM.

*Mary Brucker, Committee Clerk*

# 2023 HOUSE STANDING COMMITTEE MINUTES

Transportation Committee  
Room JW327E, State Capitol

SB 2168  
4/6/2023

A bill relating to the amount of fees for speeding violations and relating to city fines and penalties.
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**Chairman D. Ruby** opened the meeting at 10:07 AM.

**Members present:** Chairman Ruby, Vice Chairman Grueneich, Representatives Anderson, Christensen, Dyk, Frelich, Hauck, Koppelman, Murphy, Timmons, Wagner, Weisz, Dakane, Dobervich. No members absent.

**Discussion Topics:**

- Proposed amendment 23.0674.01001
- Speeding violations and fees
- 80 mph speed limit
- Seat belt usage and violations
- Committee vote

**Representative Koppelman** distributed a fee schedule and a proposed amendment 23.0674.01001 (#27330 and 27331).

**Representative Koppelman** moved the amendment **23.0674.01001**.

**Representative Murphy** seconded the motion.

**Roll call vote:**

Representatives	Vote
Representative Dan Ruby	Y
Representative Jim Grueneich	Y
Representative Karen A. Anderson	Y
Representative Cole Christensen	Y
Representative Hamida Dakane	N
Representative Gretchen Dobervich	N
Representative Scott Dyk	Y
Representative Kathy Frelich	Y
Representative Dori Hauck	Y
Representative Ben Koppelman	Y
Representative Eric James Murphy	Y
Representative Kelby Timmons	Y
Representative Scott Wagner	Y
Representative Robin Weisz	N

**Motion carried 11-3-0**

**Representative Grueneich moved a Do Pass as Amended.**

**Representative Koppelman seconded the motion.**

**Roll Call Vote:**

<b>Representatives</b>	<b>Vote</b>
Representative Dan Ruby	Y
Representative Jim Grueneich	Y
Representative Karen A. Anderson	Y
Representative Cole Christensen	Y
Representative Hamida Dakane	N
Representative Gretchen Dobervich	Y
Representative Scott Dyk	Y
Representative Kathy Frelich	Y
Representative Dori Hauck	Y
Representative Ben Koppelman	Y
Representative Eric James Murphy	Y
Representative Kelby Timmons	Y
Representative Scott Wagner	Y
Representative Robin Weisz	N

**Motion carried 12-2-0**

**Representative Koppelman is the bill carrier.**

**Chairman D. Ruby** adjourned at 10:37 AM.

*Mary Brucker, Committee Clerk*

24  
4-6-23

PROPOSED AMENDMENTS TO SENATE BILL NO. 2168

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact section 39-06.1-06, subdivision i of subsection 1 of section 39-09-02, section 39-21-41.4, and subsection 2 of section 40-05-06 of the North Dakota Century Code, relating to speeding violations, use of safety belts, and city fines and penalties; and to provide a penalty.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1. AMENDMENT.** Section 39-06.1-06 of the North Dakota Century Code is amended and reenacted as follows:

**39-06.1-06. Amount of statutory fees.**

The fees required for a noncriminal disposition under section 39-06.1-02 or 39-06.1-03 must be as follows:

1. For a nonmoving violation as defined in section 39-06.1-08, a fee of twenty dollars except for a violation of any traffic parking regulation on any state charitable or penal institution property or on the state capitol grounds, a fee in the amount of five dollars, excluding a violation of subsection 11 of section 39-01-15.
2. For a moving violation as defined in section 39-06.1-09, a fee of twenty dollars, except for:
  - a. A violation of section 39-10-26, 39-10-26.2, 39-10-41, or 39-10-42, a fee of fifty dollars.
  - b. A violation of section 39-10-05 involving failure to yield to a pedestrian or subsection 1 of section 39-10-28, a fee of fifty dollars.
  - c. A violation of section 39-21-41.2, a fee of twenty-five dollars.
  - d. A violation of subsection 1 of section 39-12-02, section 39-08-23, or section 39-08-25, a fee of one hundred dollars.
  - e. A violation of subdivision d of subsection 1 of section 39-12-04, a fee of one hundred dollars.
  - f. A violation of subsection 6 of section 39-04-37, a fee of one hundred dollars.
  - g. A violation of subsection 2 of section 39-10-21.1, a fee of two hundred fifty dollars.
  - h. A violation of section 39-10-59, a fee of five hundred dollars.
  - i. A violation of section 39-09-01, a fee of thirty dollars.

2A  
4-6-23

- j. A violation of section 39-09-01.1, a fee of thirty dollars.
  - k. A violation of section 39-10-46 or 39-10-46.1, a fee of one hundred dollars.
  - l. A violation of subsection 1 of section 39-08-20, one hundred fifty dollars for a first violation and three hundred dollars for a second or subsequent violation in three years.
  - m. A violation of section 39-10-24 or 39-10-44, a fee of forty dollars.
  - n. A violation of section 39-10-50.1, a fee of fifty dollars.
  - o. A violation of section 39-19-03, a fee of fifty dollars.
3. For a violation of section 39-21-44 or a rule adopted under that section, a fee of two hundred fifty dollars.
4. Except as provided in subsections 5 and 7, for a violation of section 39-09-02, or an equivalent ordinance, a fee established as follows:

Miles per hour over

lawful speed limit	Fee
1-5	\$ 5
6-10	\$ 5 plus \$1/each mph over 5 mph over limit
11-15	\$ 10 plus \$1/each mph over 10 mph over limit
16-20	\$ 15 plus \$2/each mph over 15 mph over limit
21-25	\$ 25 plus \$3/each mph over 20 mph over limit
26-35	\$ 40 plus \$3/each mph over 25 mph over limit
36-45	\$ 70 plus \$3/each mph over 35 mph over limit
46+	\$100 plus \$5/each mph over 45 mph over limit

5. On a highway on which the speed limit is a speed higher than fifty-five miles [88.51 kilometers] of sixty-five miles [104.61 kilometers] an hour or lower, for a violation of section 39-09-02, or an equivalent ordinance, a fee established as follows:

Miles per hour over

lawful speed limit	Fee
1 - 10	\$2/each mph over limit
11 +	\$20 plus \$5/each mph over 10 mph over limit

- 6.5. For a violation of section 39-06.2-10.9 or subsection 3 of section 39-21-46, a fee established as follows:

- a. Driving more than eleven hours since the last ten hours off duty, driving after fourteen hours on duty since the last ten hours off duty, driving after sixty hours on duty in seven days or seventy hours in



89  
4-6-23

eight days, no record of duty status or log book in possession, failing to retain previous seven-day record of duty status or log book, or operating a vehicle with four to six out-of-service defects, one hundred dollars;

- b. False record of duty status or log book or operating a vehicle with seven to nine out-of-service defects, two hundred fifty dollars;
- c. Operating a vehicle after driver placed out of service, operating a vehicle with ten or more out-of-service defects, or operating a vehicle that has been placed out of service prior to its repair, five hundred dollars; and
- d. All other violations of motor carrier safety rules adopted under subsection 3 of section 39-21-46, fifty dollars.

7-6. On a highway on which the speed limit is posted in excess of sixty-five miles [104.61 kilometers] an hour, for a violation of section 39-09-02, or equivalent ordinance, a fee of five dollars for each mile per hour over the limit.

8-7. For a violation of a school zone speed limit under subdivision b of subsection 1 of section 39-09-02, a fee of forty dollars for one through ten miles per hour over the posted speed; and forty dollars, plus one dollar for each additional mile per hour over ten miles per hour over the limit unless a greater fee would be applicable under this section.

9-8. For a violation of a highway construction zone speed limit under subsection 2 of section 39-09-02, a fee of eighty dollars for one through ten miles per hour over the posted speed; and eighty dollars plus two dollars for each mile per hour over ten miles per hour over the limit, unless a greater fee would be applicable under this section. The fee in this subsection does not apply to a highway construction zone unless individuals engaged in construction are present at the time and place of the violation and the posted speed limit sign states "Minimum Fee \$80".

9. If a violation of subsection 4, 6, 7, or 8 is for exceeding the speed limit by twenty-one miles [33.8 kilometers] per hour or more in a speed zone of less than seventy-five miles [120.7 kilometers] an hour, the specified fee is increased by one hundred dollars. If a violation of subsection 6 is for exceeding the speed limit by sixteen miles [25.75 kilometers] an hour or more in a speed zone of seventy-five miles [120.7 kilometers] an hour or greater, the specified fee is increased by one hundred dollars.

**SECTION 2. AMENDMENT.** Subdivision i of subsection 1 of section 39-09-02 of the North Dakota Century Code is amended and reenacted as follows:

- i. ~~Seventy-five~~Eighty miles [~~120.70~~128.75 kilometers] an hour on access-controlled, paved and divided, multilane interstate highways, unless otherwise permitted, restricted, or required by conditions.

**SECTION 3. AMENDMENT.** Section 39-21-41.4 of the North Dakota Century Code is amended and reenacted as follows:

**39-21-41.4. Use of safety belts required in certain motor vehicles - Enforcement - Evidence.**

24  
4-G-23

1. Subject to the limitations of this section and section 39-21-41.5, a driver may not operate upon a highway a motor vehicle designed for carrying fewer than eleven passengers, which was originally manufactured with safety belts unless each front seat occupant is wearing a properly adjusted and fastened safety belt.
2. This section does not apply to a child in a child restraint or safety belt in accordance with section 39-21-41.2; to drivers of implements of husbandry; to operators of farm vehicles as defined in subsection 5 of section 39-04-19; to rural mail carriers while on duty delivering mail; to an occupant with a medical or physically disabling condition that prevents appropriate restraint in a safety belt, if a qualified physician, physician assistant, or advanced practice registered nurse states in a signed writing the nature of the condition and the reason restraint is inappropriate; or when all front seat safety belts are in use by other occupants. A physician, physician assistant, or advanced practice registered nurse who, in good faith, provides a statement that restraint would be inappropriate is not subject to civil liability. ~~A violation for not wearing a safety belt under this section is not, in itself, evidence of negligence. The fact of a violation of this section is not admissible in any proceeding other than one charging the violation~~
3. The use or nonuse of a safety belt:
  - a. May not be used in any action as evidence of fault;
  - b. Is not, in itself, evidence of negligence; and
  - c. Is not admissible in any proceedings other than one charging the violation.
4. The fee imposed for a violation of this section must be issued to:
  - a. The driver if the violation is by the driver or a passenger who is a minor; or
  - b. The adult passenger if the violation was by an adult passenger.

**SECTION 4. AMENDMENT.** Subsection 2 of section 40-05-06 of the North Dakota Century Code is amended and reenacted as follows:

2. For every violation of a city ordinance that regulates the operation or equipment of a motor vehicle or which regulates traffic, except those ordinances listed in section 39-06.1-05, a fee may be established, by ordinance, which may exceed, by up to one hundred percent, the limit, for an equivalent category of violation, set forth in section 39-06.1-06 except for a violation of a speed limitation."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2168: Transportation Committee (Rep. D. Ruby, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2168 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact section 39-06.1-06, subdivision i of subsection 1 of section 39-09-02, section 39-21-41.4, and subsection 2 of section 40-05-06 of the North Dakota Century Code, relating to speeding violations, use of safety belts, and city fines and penalties; and to provide a penalty.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1. AMENDMENT.** Section 39-06.1-06 of the North Dakota Century Code is amended and reenacted as follows:

**39-06.1-06. Amount of statutory fees.**

The fees required for a noncriminal disposition under section 39-06.1-02 or 39-06.1-03 must be as follows:

1. For a nonmoving violation as defined in section 39-06.1-08, a fee of twenty dollars except for a violation of any traffic parking regulation on any state charitable or penal institution property or on the state capitol grounds, a fee in the amount of five dollars, excluding a violation of subsection 11 of section 39-01-15.
2. For a moving violation as defined in section 39-06.1-09, a fee of twenty dollars, except for:
  - a. A violation of section 39-10-26, 39-10-26.2, 39-10-41, or 39-10-42, a fee of fifty dollars.
  - b. A violation of section 39-10-05 involving failure to yield to a pedestrian or subsection 1 of section 39-10-28, a fee of fifty dollars.
  - c. A violation of section 39-21-41.2, a fee of twenty-five dollars.
  - d. A violation of subsection 1 of section 39-12-02, section 39-08-23, or section 39-08-25, a fee of one hundred dollars.
  - e. A violation of subdivision d of subsection 1 of section 39-12-04, a fee of one hundred dollars.
  - f. A violation of subsection 6 of section 39-04-37, a fee of one hundred dollars.
  - g. A violation of subsection 2 of section 39-10-21.1, a fee of two hundred fifty dollars.
  - h. A violation of section 39-10-59, a fee of five hundred dollars.
  - i. A violation of section 39-09-01, a fee of thirty dollars.
  - j. A violation of section 39-09-01.1, a fee of thirty dollars.
  - k. A violation of section 39-10-46 or 39-10-46.1, a fee of one hundred dollars.

- i. A violation of subsection 1 of section 39-08-20, one hundred fifty dollars for a first violation and three hundred dollars for a second or subsequent violation in three years.
- m. A violation of section 39-10-24 or 39-10-44, a fee of forty dollars.
- n. A violation of section 39-10-50.1, a fee of fifty dollars.
- o. A violation of section 39-19-03, a fee of fifty dollars.
- 3. For a violation of section 39-21-44 or a rule adopted under that section, a fee of two hundred fifty dollars.
- 4. ~~Except as provided in subsections 5 and 7, for a violation of section 39-09-02, or an equivalent ordinance, a fee established as follows:~~

	Miles per hour over	
	lawful speed limit	Fee
	1-5	\$-5
	6-10	\$ 5 plus \$1/each mph over 5 mph over limit
limit	11-15	\$ 10 plus \$1/each mph over 10 mph over
limit	16-20	\$ 15 plus \$2/each mph over 15 mph over
limit	21-25	\$ 25 plus \$3/each mph over 20 mph over
limit	26-35	\$ 40 plus \$3/each mph over 25 mph over
limit	36-45	\$ 70 plus \$3/each mph over 35 mph over
limit	46+	\$100 plus \$5/each mph over 45 mph over

- 5. ~~On a highway on which the speed limit is a speed higher than fifty-five miles [88.51 kilometers] of sixty-five miles [104.61 kilometers] an hour or lower,~~ for a violation of section 39-09-02, or an equivalent ordinance, a fee established as follows:

	Miles per hour over	
	lawful speed limit	Fee
	1 - 10	\$2/each mph over limit
limit	11 +	\$20 plus \$5/each mph over 10 mph over

- ~~6.5.~~ For a violation of section 39-06.2-10.9 or subsection 3 of section 39-21-46, a fee established as follows:

- a. Driving more than eleven hours since the last ten hours off duty, driving after fourteen hours on duty since the last ten hours off duty,

- driving after sixty hours on duty in seven days or seventy hours in eight days, no record of duty status or log book in possession, failing to retain previous seven-day record of duty status or log book, or operating a vehicle with four to six out-of-service defects, one hundred dollars;
- b. False record of duty status or log book or operating a vehicle with seven to nine out-of-service defects, two hundred fifty dollars;
  - c. Operating a vehicle after driver placed out of service, operating a vehicle with ten or more out-of-service defects, or operating a vehicle that has been placed out of service prior to its repair, five hundred dollars; and
  - d. All other violations of motor carrier safety rules adopted under subsection 3 of section 39-21-46, fifty dollars.
- 7-6. On a highway on which the speed limit is posted in excess of sixty-five miles [104.61 kilometers] an hour, for a violation of section 39-09-02, or equivalent ordinance, a fee of five dollars for each mile per hour over the limit.
- 8-7. For a violation of a school zone speed limit under subdivision b of subsection 1 of section 39-09-02, a fee of forty dollars for one through ten miles per hour over the posted speed; and forty dollars, plus one dollar for each additional mile per hour over ten miles per hour over the limit unless a greater fee would be applicable under this section.
- 9-8. For a violation of a highway construction zone speed limit under subsection 2 of section 39-09-02, a fee of eighty dollars for one through ten miles per hour over the posted speed; and eighty dollars plus two dollars for each mile per hour over ten miles per hour over the limit, unless a greater fee would be applicable under this section. The fee in this subsection does not apply to a highway construction zone unless individuals engaged in construction are present at the time and place of the violation and the posted speed limit sign states "Minimum Fee \$80".
9. If a violation of subsection 4, 6, 7, or 8 is for exceeding the speed limit by twenty-one miles [33.8 kilometers] per hour or more in a speed zone of less than seventy-five miles [120.7 kilometers] an hour, the specified fee is increased by one hundred dollars. If a violation of subsection 6 is for exceeding the speed limit by sixteen miles [25.75 kilometers] an hour or more in a speed zone of seventy-five miles [120.7 kilometers] an hour or greater, the specified fee is increased by one hundred dollars.

**SECTION 2. AMENDMENT.** Subdivision i of subsection 1 of section 39-09-02 of the North Dakota Century Code is amended and reenacted as follows:

- i. ~~Seventy-five~~Eighty miles [~~120.70~~128.75 kilometers] an hour on access-controlled, paved and divided, multilane interstate highways, unless otherwise permitted, restricted, or required by conditions.

**SECTION 3. AMENDMENT.** Section 39-21-41.4 of the North Dakota Century Code is amended and reenacted as follows:

**39-21-41.4. Use of safety belts required in certain motor vehicles - Enforcement - Evidence.**

- 1. Subject to the limitations of this section and section 39-21-41.5, a driver may not operate upon a highway a motor vehicle designed for carrying fewer than eleven passengers, which was originally manufactured with

safety belts unless each front seat occupant is wearing a properly adjusted and fastened safety belt.

2. This section does not apply to a child in a child restraint or safety belt in accordance with section 39-21-41.2; to drivers of implements of husbandry; to operators of farm vehicles as defined in subsection 5 of section 39-04-19; to rural mail carriers while on duty delivering mail; to an occupant with a medical or physically disabling condition that prevents appropriate restraint in a safety belt, if a qualified physician, physician assistant, or advanced practice registered nurse states in a signed writing the nature of the condition and the reason restraint is inappropriate; or when all front seat safety belts are in use by other occupants. A physician, physician assistant, or advanced practice registered nurse who, in good faith, provides a statement that restraint would be inappropriate is not subject to civil liability. ~~A violation for not wearing a safety belt under this section is not, in itself, evidence of negligence. The fact of a violation of this section is not admissible in any proceeding other than one charging the violation~~
3. The use or nonuse of a safety belt:
  - a. May not be used in any action as evidence of fault;
  - b. Is not, in itself, evidence of negligence; and
  - c. Is not admissible in any proceedings other than one charging the violation.
4. The fee imposed for a violation of this section must be issued to:
  - a. The driver if the violation is by the driver or a passenger who is a minor; or
  - b. The adult passenger if the violation was by an adult passenger.

**SECTION 4. AMENDMENT.** Subsection 2 of section 40-05-06 of the North Dakota Century Code is amended and reenacted as follows:

2. For every violation of a city ordinance that regulates the operation or equipment of a motor vehicle or which regulates traffic, except those ordinances listed in section 39-06.1-05, a fee may be established, by ordinance, which may exceed, by up to one hundred percent, the limit, for an equivalent category of violation, set forth in section 39-06.1-06 except for a violation of a speed limitation."

Renumber accordingly

**2023 CONFERENCE COMMITTEE**

**SB 2168**

# 2023 SENATE STANDING COMMITTEE MINUTES

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

SB 2168  
4/20/2023  
Conference Committee

Relating to the amount of fees for speeding violations; and relating to city fines and penalties; and to provide a penalty.
---

**8:03 AM Chairman Rummel** opened hearing.

Present: **Senator Rummel, Senator Larsen, Senator Clemens, Representative Koppelman, Representative Timmons, Representative Weisz**

**Discussion Topics:**

- Speeding charts
- Seat belts
- Insurance

**8:03 AM Senator Koppelman** reviewed the House discussion and decisions.

**8:09 AM Chairman Rummel** reviewed the amendments.

**8:20 AM Chris Owen, Vice President of Claims with NoDak Insurance,** verbally testified.

**8:37 AM Chairman Rummel** adjourned meeting.

*Nathan Liesen, Committee Clerk*



# 2023 SENATE STANDING COMMITTEE MINUTES

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

SB 2168  
4/21/2023  
Conference Committee

Relating to the amount of fees for speeding violations; and relating to city fines and penalties; and to provide a penalty.
---

**10:35 AM Chairman Rummel** opened hearing.

Present: **Senator Rummel, Senator Larsen, Senator Clemens, Representative Koppelman, Representative Timmons, Representative Weisz**

**Discussion Topics:**

- Litigation
- Violation
- First responders

**10:45 AM Chris Joseph, Legislative Council,** provided verbal information.

**10:58 AM Representative Koppelman** moved to Recede from the House Amendment and amend as follows LC 23.0674.01003.

**10:59 AM Senator Larsen** seconded.

**10:59 AM Motion Passed 6-0-0**

**Senator Rummel is the Senate carrier.**

**Koppelman is the House carrier.**

**11:00 AM Chairman Rummel** adjourned meeting.

*Nathan Liesen, Committee Clerk*

April 21, 2023

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184  
4-21-23

PROPOSED AMENDMENTS TO SENATE BILL NO. 2168

That the House recede from its amendments as printed on pages 1532-1535 of the Senate Journal and pages 1741-1745 of the House Journal and that Senate Bill No. 2168 be amended as follows:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact section 39-06.1-06, subdivision i of subsection 1 of section 39-09-02, section 39-21-41.4, and subsection 2 of section 40-05-06 of the North Dakota Century Code, relating to speeding violations, use of safety belts, and city fines and penalties; and to provide a penalty.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1. AMENDMENT.** Section 39-06.1-06 of the North Dakota Century Code is amended and reenacted as follows:

**39-06.1-06. Amount of statutory fees.**

The fees required for a noncriminal disposition under section 39-06.1-02 or 39-06.1-03 must be as follows:

1. For a nonmoving violation as defined in section 39-06.1-08, a fee of twenty dollars except for a violation of any traffic parking regulation on any state charitable or penal institution property or on the state capitol grounds, a fee in the amount of five dollars, excluding a violation of subsection 11 of section 39-01-15.
2. For a moving violation as defined in section 39-06.1-09, a fee of twenty dollars, except for:
  - a. A violation of section 39-10-26, 39-10-26.2, 39-10-41, or 39-10-42, a fee of fifty dollars.
  - b. A violation of section 39-10-05 involving failure to yield to a pedestrian or subsection 1 of section 39-10-28, a fee of fifty dollars.
  - c. A violation of section 39-21-41.2, a fee of twenty-five dollars.
  - d. A violation of subsection 1 of section 39-12-02, section 39-08-23, or section 39-08-25, a fee of one hundred dollars.
  - e. A violation of subdivision d of subsection 1 of section 39-12-04, a fee of one hundred dollars.
  - f. A violation of subsection 6 of section 39-04-37, a fee of one hundred dollars.
  - g. A violation of subsection 2 of section 39-10-21.1, a fee of two hundred fifty dollars.

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284  
4-21-23

- h. A violation of section 39-10-59, a fee of five hundred dollars.
- i. A violation of section 39-09-01, a fee of thirty dollars.
- j. A violation of section 39-09-01.1, a fee of thirty dollars.
- k. A violation of section 39-10-46 or 39-10-46.1, a fee of one hundred dollars.
- l. A violation of subsection 1 of section 39-08-20, one hundred fifty dollars for a first violation and three hundred dollars for a second or subsequent violation in three years.
- m. A violation of section 39-10-24 or 39-10-44, a fee of forty dollars.
- n. A violation of section 39-10-50.1, a fee of fifty dollars.
- o. A violation of section 39-19-03, a fee of fifty dollars.
- 3. For a violation of section 39-21-44 or a rule adopted under that section, a fee of two hundred fifty dollars.
- 4. ~~Except as provided in subsections 5 and 7, for a violation of section 39-09-02, or an equivalent ordinance, a fee established as follows:~~

Miles per hour over

lawful speed limit	Fee
<del>1-5</del>	<del>\$ 5</del>
<del>6-10</del>	<del>\$ 5 plus \$1/each mph over 5 mph over limit</del>
<del>11-15</del>	<del>\$ 10 plus \$1/each mph over 10 mph over limit</del>
<del>16-20</del>	<del>\$ 15 plus \$2/each mph over 15 mph over limit</del>
<del>21-25</del>	<del>\$ 25 plus \$3/each mph over 20 mph over limit</del>
<del>26-35</del>	<del>\$ 40 plus \$3/each mph over 25 mph over limit</del>
<del>36-45</del>	<del>\$ 70 plus \$3/each mph over 35 mph over limit</del>
<del>46+</del>	<del>\$100 plus \$5/each mph over 45 mph over limit</del>

- 5. On a highway on which the speed limit is a speed higher than ~~fifty-five miles [88.51 kilometers]~~ of sixty-five miles [104.61 kilometers] an hour or lower, for a violation of section 39-09-02, or an equivalent ordinance, a fee established as follows:

Miles per hour over

lawful speed limit	Fee
1 - 10	\$2/each mph over limit
11 +	\$20 plus \$5/each mph over 10 mph over limit

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374  
4-21-23
- 6-5. For a violation of section 39-06.2-10.9 or subsection 3 of section 39-21-46, a fee established as follows:
- a. Driving more than eleven hours since the last ten hours off duty, driving after fourteen hours on duty since the last ten hours off duty, driving after sixty hours on duty in seven days or seventy hours in eight days, no record of duty status or log book in possession, failing to retain previous seven-day record of duty status or log book, or operating a vehicle with four to six out-of-service defects, one hundred dollars;
  - b. False record of duty status or log book or operating a vehicle with seven to nine out-of-service defects, two hundred fifty dollars;
  - c. Operating a vehicle after driver placed out of service, operating a vehicle with ten or more out-of-service defects, or operating a vehicle that has been placed out of service prior to its repair, five hundred dollars; and
  - d. All other violations of motor carrier safety rules adopted under subsection 3 of section 39-21-46, fifty dollars.
- 7-6. On a highway on which the speed limit is posted in excess of sixty-five miles [104.61 kilometers] an hour, for a violation of section 39-09-02, or equivalent ordinance, a fee of five dollars for each mile per hour over the limit.
- 8-7. For a violation of a school zone speed limit under subdivision b of subsection 1 of section 39-09-02, a fee of forty dollars for one through ten miles per hour over the posted speed; and forty dollars, plus one dollar for each additional mile per hour over ten miles per hour over the limit unless a greater fee would be applicable under this section.
- 9-8. For a violation of a highway construction zone speed limit under subsection 2 of section 39-09-02, a fee of eighty dollars for one through ten miles per hour over the posted speed; and eighty dollars plus two dollars for each mile per hour over ten miles per hour over the limit, unless a greater fee would be applicable under this section. The fee in this subsection does not apply to a highway construction zone unless individuals engaged in construction are present at the time and place of the violation and the posted speed limit sign states "Minimum Fee \$80".
9. If a violation of subsection 4, 6, 7, or 8 is for exceeding the speed limit by twenty-one miles [33.8 kilometers] per hour or more in a speed zone of less than seventy-five miles [120.7 kilometers] per hour, the specified fee is increased by one hundred dollars. If a violation of subsection 6 is for exceeding the speed limit by sixteen miles [25.75 kilometers] per hour or more in a speed zone of seventy-five miles [120.7 kilometers] per hour or greater, the specified fee is increased by one hundred dollars.

**SECTION 2. AMENDMENT.** Subdivision i of subsection 1 of section 39-09-02 of the North Dakota Century Code is amended and reenacted as follows:

- i. ~~Seventy-five~~Eighty miles [~~120.70~~128.75 kilometers] an hour on access-controlled, paved and divided, multilane interstate highways, unless otherwise permitted, restricted, or required by conditions.

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4-21-23

**SECTION 3. AMENDMENT.** Section 39-21-41.4 of the North Dakota Century Code is amended and reenacted as follows:

**39-21-41.4. Use of safety belts required in certain motor vehicles - Enforcement - Evidence.**

~~Subject to the limitations of this section and section 39-21-41.5, a~~

1. ~~A~~ driver may not operate upon a highway a motor vehicle designed for carrying fewer than eleven passengers, which was originally manufactured with safety belts unless each ~~front seat~~ occupant is wearing a properly adjusted and fastened safety belt.
2. This section does not apply to a child in a child restraint or safety belt in accordance with section 39-21-41.2; to the operators of construction equipment; to drivers of implements of husbandry; to operators of farm vehicles as defined in subsection 5 of section 39-04-19; to rural mail carriers while on duty delivering mail; to an authorized emergency vehicle when the circumstances are necessary for the proper performance of official duties; to an occupant with a medical or physically disabling condition that prevents appropriate restraint in a safety belt, if a qualified physician, physician assistant, or advanced practice registered nurse states in a signed writing the nature of the condition and the reason restraint is inappropriate; or when all ~~front seat~~ safety belts are in use by other occupants. A physician, physician assistant, or advanced practice registered nurse who, in good faith, provides a statement that restraint would be inappropriate is not subject to civil liability. ~~A violation for not~~Not wearing a safety belt under this section is not, in itself, evidence of negligence. The fact of a violation of this section is not admissible in any proceeding other than one charging the violation.
3. The fee imposed for a violation of this section must be issued to:
  - a. The driver if the violation is by the driver or a passenger who is a minor; or
  - b. The adult passenger if the violation was by an adult passenger.

**SECTION 4. AMENDMENT.** Subsection 2 of section 40-05-06 of the North Dakota Century Code is amended and reenacted as follows:

2. For every violation of a city ordinance that regulates the operation or equipment of a motor vehicle or which regulates traffic, except those ordinances listed in section 39-06.1-05, a fee may be established, by ordinance, which may exceed, by up to one hundred percent, the limit, for an equivalent category of violation, set forth in section 39-06.1-06 except for a violation of a speed limitation."

Renumber accordingly

**2023 SENATE CONFERENCE COMMITTEE  
 ROLL CALL VOTES**

BILL/RESOLUTION NO. SB 2168 as (re) engrossed

Senate "Enter committee name" **Committee**

- Action Taken**
- SENATE accede to House Amendments
  - SENATE accede to House Amendments and further amend
  - HOUSE recede from House amendments
  - HOUSE recede from House amendments and amend as follows
  - Unable to agree**, recommends that the committee be discharged and a new committee be appointed

Motion Made by: Koppelman Seconded by: Larsen

Senators	4/20	4/21		Yes	No	Representatives	4/20	4/21		Yes	No
Rummel, Dean (R) (Chair)	X	X		X		Koppelman, Ben (R)	X	X		x	
Larsen, Doug (R)	X	X		X		Timmons, Kelby (R)	X	X		X	
Clemens, David A. (R)	X	x		X		Weisz, Robin (R)	X	X		X	
Total Senate Vote				3		Total Rep. Vote				3	

Vote Count      Yes: 6                      No: 0                      Absent: 0

Senate Carrier Rummel                      House Carrier Koppelman

LC Number 23.0674 . 01003 of amendment

LC Number 23.0674 . 03000 of engrossment

Emergency clause added or deleted

Statement of purpose of amendment

Insert LC: 23.0674.01003  
Senate Carrier: Rummel  
House Carrier: Koppelman

**REPORT OF CONFERENCE COMMITTEE**

**SB 2168:** Your conference committee (Sens. Rummel, Larsen, Clemens and Reps. Koppelman, Timmons, Weisz) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 1532-1535, adopt amendments as follows, and place SB 2168 on the Seventh order:

That the House recede from its amendments as printed on pages 1532-1535 of the Senate Journal and pages 1741-1745 of the House Journal and that Senate Bill No. 2168 be amended as follows:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact section 39-06.1-06, subdivision i of subsection 1 of section 39-09-02, section 39-21-41.4, and subsection 2 of section 40-05-06 of the North Dakota Century Code, relating to speeding violations, use of safety belts, and city fines and penalties; and to provide a penalty.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1. AMENDMENT.** Section 39-06.1-06 of the North Dakota Century Code is amended and reenacted as follows:

**39-06.1-06. Amount of statutory fees.**

The fees required for a noncriminal disposition under section 39-06.1-02 or 39-06.1-03 must be as follows:

1. For a nonmoving violation as defined in section 39-06.1-08, a fee of twenty dollars except for a violation of any traffic parking regulation on any state charitable or penal institution property or on the state capitol grounds, a fee in the amount of five dollars, excluding a violation of subsection 11 of section 39-01-15.
2. For a moving violation as defined in section 39-06.1-09, a fee of twenty dollars, except for:
  - a. A violation of section 39-10-26, 39-10-26.2, 39-10-41, or 39-10-42, a fee of fifty dollars.
  - b. A violation of section 39-10-05 involving failure to yield to a pedestrian or subsection 1 of section 39-10-28, a fee of fifty dollars.
  - c. A violation of section 39-21-41.2, a fee of twenty-five dollars.
  - d. A violation of subsection 1 of section 39-12-02, section 39-08-23, or section 39-08-25, a fee of one hundred dollars.
  - e. A violation of subdivision d of subsection 1 of section 39-12-04, a fee of one hundred dollars.
  - f. A violation of subsection 6 of section 39-04-37, a fee of one hundred dollars.
  - g. A violation of subsection 2 of section 39-10-21.1, a fee of two hundred fifty dollars.
  - h. A violation of section 39-10-59, a fee of five hundred dollars.
  - i. A violation of section 39-09-01, a fee of thirty dollars.

Insert LC: 23.0674.01003  
Senate Carrier: Rummel  
House Carrier: Koppelman

- j. A violation of section 39-09-01.1, a fee of thirty dollars.
  - k. A violation of section 39-10-46 or 39-10-46.1, a fee of one hundred dollars.
  - l. A violation of subsection 1 of section 39-08-20, one hundred fifty dollars for a first violation and three hundred dollars for a second or subsequent violation in three years.
  - m. A violation of section 39-10-24 or 39-10-44, a fee of forty dollars.
  - n. A violation of section 39-10-50.1, a fee of fifty dollars.
  - o. A violation of section 39-19-03, a fee of fifty dollars.
3. For a violation of section 39-21-44 or a rule adopted under that section, a fee of two hundred fifty dollars.
4. ~~Except as provided in subsections 5 and 7, for a violation of section 39-09-02, or an equivalent ordinance, a fee established as follows:~~

Miles per hour over

lawful speed limit Fee

~~1-5 \$ 5~~

~~6-10 \$ 5 plus \$1/each mph over 5 mph over limit~~

~~11-15 \$ 10 plus \$1/each mph over 10 mph over limit~~

~~16-20 \$ 15 plus \$2/each mph over 15 mph over limit~~

~~21-25 \$ 25 plus \$3/each mph over 20 mph over limit~~

~~26-35 \$ 40 plus \$3/each mph over 25 mph over limit~~

~~36-45 \$ 70 plus \$3/each mph over 35 mph over limit~~

~~46+ \$100 plus \$5/each mph over 45 mph over limit~~

5. On a highway on which the speed limit is a speed ~~higher than fifty-five miles [88.51 kilometers] of sixty-five miles [104.61 kilometers]~~ an hour ~~or lower~~, for a violation of section 39-09-02, or an equivalent ordinance, a fee established as follows:

Miles per hour over

lawful speed limit Fee

1 - 10 \$2/each mph over limit

11 + \$20 plus \$5/each mph over 10 mph over limit

- ~~6.5.~~ For a violation of section 39-06.2-10.9 or subsection 3 of section 39-21-46, a fee established as follows:

- a. Driving more than eleven hours since the last ten hours off duty, driving after fourteen hours on duty since the last ten hours off duty,



Insert LC: 23.0674.01003  
Senate Carrier: Rummel  
House Carrier: Koppelman

- driving after sixty hours on duty in seven days or seventy hours in eight days, no record of duty status or log book in possession, failing to retain previous seven-day record of duty status or log book, or operating a vehicle with four to six out-of-service defects, one hundred dollars;
- b. False record of duty status or log book or operating a vehicle with seven to nine out-of-service defects, two hundred fifty dollars;
  - c. Operating a vehicle after driver placed out of service, operating a vehicle with ten or more out-of-service defects, or operating a vehicle that has been placed out of service prior to its repair, five hundred dollars; and
  - d. All other violations of motor carrier safety rules adopted under subsection 3 of section 39-21-46, fifty dollars.
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- 9-8. For a violation of a highway construction zone speed limit under subsection 2 of section 39-09-02, a fee of eighty dollars for one through ten miles per hour over the posted speed; and eighty dollars plus two dollars for each mile per hour over ten miles per hour over the limit, unless a greater fee would be applicable under this section. The fee in this subsection does not apply to a highway construction zone unless individuals engaged in construction are present at the time and place of the violation and the posted speed limit sign states "Minimum Fee \$80".
9. If a violation of subsection 4, 6, 7, or 8 is for exceeding the speed limit by twenty-one miles [33.8 kilometers] per hour or more in a speed zone of less than seventy-five miles [120.7 kilometers] per hour, the specified fee is increased by one hundred dollars. If a violation of subsection 6 is for exceeding the speed limit by sixteen miles [25.75 kilometers] per hour or more in a speed zone of seventy-five miles [120.7 kilometers] per hour or greater, the specified fee is increased by one hundred dollars.

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- i. ~~Seventy-five~~Eighty miles [~~120.7~~128.75 kilometers] an hour on access-controlled, paved and divided, multilane interstate highways, unless otherwise permitted, restricted, or required by conditions.

**SECTION 3. AMENDMENT.** Section 39-21-41.4 of the North Dakota Century Code is amended and reenacted as follows:

**39-21-41.4. Use of safety belts required in certain motor vehicles - Enforcement - Evidence.**

Subject to the limitations of this section and section 39-21-41.5, a

Insert LC: 23.0674.01003  
Senate Carrier: Rummel  
House Carrier: Koppelman

1. A driver may not operate upon a highway a motor vehicle designed for carrying fewer than eleven passengers, which was originally manufactured with safety belts unless each front-seat occupant is wearing a properly adjusted and fastened safety belt.
2. This section does not apply to a child in a child restraint or safety belt in accordance with section 39-21-41.2; to the operators of construction equipment; to drivers of implements of husbandry; to operators of farm vehicles as defined in subsection 5 of section 39-04-19; to rural mail carriers while on duty delivering mail; to an authorized emergency vehicle when the circumstances are necessary for the proper performance of official duties; to an occupant with a medical or physically disabling condition that prevents appropriate restraint in a safety belt, if a qualified physician, physician assistant, or advanced practice registered nurse states in a signed writing the nature of the condition and the reason restraint is inappropriate; or when all front-seat safety belts are in use by other occupants. A physician, physician assistant, or advanced practice registered nurse who, in good faith, provides a statement that restraint would be inappropriate is not subject to civil liability. A violation for not wearing a safety belt under this section is not, in itself, evidence of negligence. The fact of a violation of this section is not admissible in any proceeding other than one charging the violation.
3. The fee imposed for a violation of this section must be issued to:
  - a. The driver if the violation is by the driver or a passenger who is a minor; or
  - b. The adult passenger if the violation was by an adult passenger.

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Renumber accordingly

SB 2168 was placed on the Seventh order of business on the calendar.

**TESTIMONY**

**SB 2168**

## Testimony on SB 2168

Thank you Mr. Chairman and members of the Senate Transportation Committee.

For the record, my name is Senator Dean Rummel from District 37.

I believe we all can agree that everyone would want our roadways safer with no fatalities. This bill has the potential to save lives.

This bill doubles the fines for those individuals who exceed the posted speed limit by 21 mph or more. So on Interstate 94 if you see someone go by you at 96 mph and they are stopped by the ND Highway Patrol, the fine will go up from \$105 to \$210. This does not affect the speeding fines at 20 mph or below over the posted speed limit. For your information, those speeding fines at 20 mph or below have not changed for the 55 mph and 60-65 mph speed zones since 1983. The speeding fines for the 70 mph and greater speed zones have not changed since 2003.

There were 377,310 speed and careless driving related citations issued from 2017 to 2021. 20,921 of those citations were for 20 mph over the posted speed limit. That averages out to 4,184 citations per year for that 5-

year time period. This bill would double the fines for those citations.

We need to financially encourage those individuals who drive 21 mph over the posted speed limit to slow down and save lives. Speeding and or aggressive driving has been a factor in 34% of fatal crashes in North Dakota in 2021.

By your do pass vote of Senate Bill 2168, it will send a clear message of support for the ND Strategic Highway Safety Plan's VISION ZERO, zero fatalities, zero excuses.

With us is Sgt. Wade Kadrmas, the Chair for the Vision Zero Speeding/Aggressive Driving Priority Emphasis Area Team with the ND Highway Patrol. He can provide you with answers to any questions that you might have.

**SENATE BILL 2168  
HANDOUT**

## Enhanced Penalty for Higher Speeds Handout

- North Dakota – Speed-Related Crashes
  - Speeding or traveling too fast for conditions is a factor in about 30-40 percent of all fatal crashes in North Dakota each year. (Source: NDDOT Highway Safety Division)
  - There were 160 fatal crashes on North Dakota roadways from 2017-2021. Of these, 33.8 percent (160 of 473) were related to speed/too fast for conditions. (Source: NDDOT Highway Safety Division)
  - There were 1,652 serious injury crashes on North Dakota roadways from 2017-2021. Of these, 39.9 percent (659 of 1,652) were related to speed/too fast for conditions. (Source: NDDOT Highway Safety Division)
  - Of the 659 speed-related crashes that resulted in a fatality or serious injury on North Dakota roadways from 2017-2021, 23 percent (151 of 659) were speed-related rollover crashes.
  - 178 people have died in speed/aggressive driving-involved crashes in North Dakota over the past five years (2017-2021). Know the road conditions and adjust your speed accordingly. (*NDDOT Crash Summary*)
  - Nearly every 2.4 hours, one speed/aggressive driving-involved crash occurred in North Dakota in 2021. Stop speeding before it stops you. (*NDDOT Crash Summary*)
  - Every 10.4 days, one speed/aggressive driving-involved vehicle fatality occurred in North Dakota in 2021. Plan ahead and allow extra time so everyone can make it to their destination safely. (*NDDOT Crash Summary*)
  - Speeding and/or aggressive driving has been a factor in 34% of fatal crashes in North Dakota in 2021. Slow down and arrive alive. (*NDDOT Crash Summary*)
- Speeding isn't just aggressive driving, it's deadly driving. (*Vision Zero ND – Speed & Aggressive Driving*)
- Over 20,000 speed-related citations of 20 mph over the posted speed limit were issued from 2017-2021. (*NDDOT Drivers License*)
- All too often, drivers make the wrong choice by trying to pass slower traffic or drive too fast for road conditions. Think ahead. The stopping distance at 20 mph is about 60 feet. At 65 mph, you may travel 450 feet or more before stopping. (*Vision Zero ND – Speed & Aggressive Driving*)
- Every driver and vehicle occupant in North Dakota need to take personal responsibility for their actions while travelling in order to help the state achieve the zero goal. (*Vision Zero ND – Speed & Aggressive Driving*)

- There is a direct correlation between collision speed and the *severity* of a crash. ***The higher the collision speed, the more serious the consequences in terms of injury and material damage.*** In addition, the human body is physically very vulnerable in comparison with the enormous forces released in a collision. During the past decades, vehicles have become ever better equipped (with crush areas, airbags and seatbelts) to absorb the energy released in a crash, thus protecting the occupants. However, the collision speed still is very important for the crash outcome. (Source: Institute for Road Safety Research)
- FHWA is currently promoting a Safe Systems approach to safety on our roadways. One of the elements of the Safe Systems approach is safe speeds. FHWA states “Humans are unlikely to survive high-speed crashes. Reducing speeds can accommodate human injury tolerances in three ways: reducing impact forces, providing additional time for drivers to stop, and improving visibility”.
- Rational speed limits promote public safety by helping drivers choose reasonable and prudent speed that is appropriate for normal traffic, weather, and roadway conditions. This encourages more drivers to travel at about the same speed, which has been shown to reduce the likelihood of crashes. Rational speed limits make sense to the majority of drivers because they are not unrealistically low or high, therefore mostly self-enforcing. (Source: FHWA)
- The most widely accepted method by state and local agencies is to set the speed limit at or below the speed at which 85 percent of the traffic is moving. The 85th percentile speed is the speed not exceeded by 85 percent of drivers. Studies have shown crash rates are lowest at around the 85th percentile speed. Drivers traveling significantly faster or slower than this speed are at a greater risk for being in a crash. It is the variation of speed in traffic that is related to crash risk, not just high speeds. (Source: Speed Limits in North Dakota brochure, North Dakota Department of Transportation, North Dakota State University Upper Great Plains Transportation Institute and the North Dakota Highway Patrol)
- Automatic Traffic Records (ATR) data shows the 50<sup>th</sup> percentile speed is about 78 mph and the 85<sup>th</sup> percentile speed is about 82 mph. (Source: NDDOT Planning/Asset Management Division)

Drivers traveling between the 50<sup>th</sup> and 85<sup>th</sup> percentile have the lowest risk of crashing due to speed. Drivers exceeding the 90<sup>th</sup> percentile have a significantly higher risk of crashing. (Source: FHWA)

I-94 ATR Sites;

- Tower City all lanes, RP 312.5 = >85<sup>th</sup> percentile speed 82.5 mph
- Tower City all lanes, RP 312.5 = >50<sup>th</sup> percentile speed 77.8 mph
- New Salem all lanes, RP 126.8 = >85<sup>th</sup> percentile speed 83.8 mph
- New Salem all lanes, RP 126.8 = >50<sup>th</sup> percentile speed 79.0 mph

I-29 ATR Sites;

- Buxton all lanes, RP 112.8 = >85<sup>th</sup> percentile speed 81.8 mph
- Buxton all lanes, RP 112.8 = >50<sup>th</sup> percentile speed 77.5 mph
- Mooreton all lanes, RP 25.0 = >85<sup>th</sup> percentile speed 83.0 mph
- Mooreton all lanes, RP 25.0 = >50<sup>th</sup> percentile speed 78.0 mph

I-94 WIM Sites;

- Belfield EB only, RP 34.7 = >85<sup>th</sup> percentile speed 82.0 mph

I-29 WIM Sites;

- Joliette SB only, RP 207.8 = >85<sup>th</sup> percentile speed 79.0 mph





Good morning, Chairman Clemens and members of the Senate Transportation Committee. My name is Wade Kadrmas, and I serve as the Chair for the Vision Zero Speeding/Aggressive Driving Priority Emphasis Area Team. I am here today on behalf of the Speeding/Aggressive Driving Team, in support of Senate Bill 2168. I have been in law enforcement for over 25 years. I served three years as a correctional officer in Dickinson, three years as a police officer for the City of Dickinson, and the past 18 years as a trooper for the North Dakota Highway Patrol with the last five as the Safety and Education Officer, focusing on traffic safety.

For members of the committee who aren't familiar with Vision Zero, it is [North Dakota's Strategic Highway Safety Plan](#) that has been in place since 2018. The state is required to submit a highway safety plan every five years to Federal Highway Administration. The [Strategic Highway Safety Plan](#) is a major component and requirement of the Highway Safety Improvement Program. The plan provides a comprehensive framework for reducing highway fatalities and serious injuries on public roads.

The Speeding/Aggressive Driving Team originated from an analysis of North Dakota's serious crash data that pointed to the most common types of crashes and contributing factors that cause those crashes. This team is one of six that reflect the priority safety emphasis areas of the Vision Zero Plan. The other five focus areas are lane departure; intersections; alcohol and/or drug related driving; unbelted vehicle occupants; and young drivers.

The mission of the Speeding/Aggressive Driving Priority Emphasis Area Team is to address the behaviors of motorists who choose to drive aggressively and/or ignore North Dakota's speed limit laws. Aggressive driving is a combination of moving violations to include speeding; running stop signs and red lights; turning/passing violations; improper lane changes; following too close; and distracted driving. Drivers who frequently engage in these driving behaviors choose to ignore the safety of other roadway users, putting themselves and other motorists at risk of being involved in a serious crash.

The current Speeding/Aggressive Driving Team is comprised of traffic engineers; driver's education instructors; and work force safety, law enforcement, and private corporation representatives. As elected officials, I encourage you to participate in one or more of the Vision Zero Priority Area Emphasis teams, your role as an elected officials is vital in helping create safer roadways in our great state.

Prior to detailing how this bill will affect motorists who chose to drive at dangerously excessive speeds, I will provide information where fees collected for these violations are deposited. Under section two of article nine in the [North Dakota Constitution](#), relating to trust lands, it states "net proceeds of all fines for violation of state laws and all other sums which may be added by law, must be faithfully used and applied each year for the benefit of the common schools of the state". [Click here to view the 2019-2021 North Dakota Trust Lands Biennial Report.](#)

North Dakota Century Code (NDCC) determines where fines for city ordinances are to be deposited. [NDCC 40-11-13](#), relating to fines and forfeitures for violation of ordinances paid into treasury, states, “All fines, penalties, and forfeitures collected for offenses against the ordinances of a city, including those fines, penalties, and forfeitures collected as a result of a judgment of a district court rendered pursuant to section 40-18-19, must be paid into the city’s treasury at such time and in such manner as may be prescribed by ordinance.”

During the 67<sup>th</sup> legislative session, House Bill 1279 was put forward with the goal of standardizing speeding fines and points for exceeding the speed limit in any speed zone. The result would have created the same fine based on exceeding the speed in any speed zone. The bill failed due to concern over cities being allowed to double traffic fines. Senate Bill 2168 was drafted to prevent cities from doubling the enhanced fines outlined in this bill to ensure the same concern wouldn’t arise this session.

The bill before you today is designed to double the current fees for drivers who choose to drive 21 mph or more over the posted speed limit. Page three of the testimony contains a spreadsheet that breaks down the different fee schedules for speeding. The spreadsheet on page four breaks down the fee schedule for speeding in construction zones; and the page five spreadsheet is for speeding in school zones.

Speeding and aggressive driving continue to be a factor in fatal crashes. In 2021, thirty-four percent of fatal crashes involved this type of dangerous driving behavior. Over the past five years (2017-2021), speed/aggressive driving attributed to 178 deaths on North Dakota roadways. It also contributed to forty percent of serious injury crashes (659 of 1,625) in the same time frame.

North Dakota law needs to address dangerous speeds for many reasons. The [Insurance Institute for Highway Safety](#) list the following as dangers of speed:

- speed increases the distance a vehicle travels from the time a driver detects an emergency to the time the driver reacts.
- speed increases the distance needed for a vehicle to stop once the driver starts to brake.
- speed increases the risk that an evasive steering maneuver will result in loss of control.
- speed increases the crash energy exponentially.

Speeding puts other roadway users at a disadvantage by taking away their time to react to an irresponsible driving behavior. On behalf of the Vision Zero Speeding/Aggressive Driving Team, I respectfully ask for your support on SB 2168 to enhance penalties for drivers speeding 21 mph or more over the posted speed limit.

Statutory Links:

[N.D.C.C. 39-06.1-06 Amount of statutory fees.](#)

[N.D.C.C. 40-05-06 Cities fines and penalties limited.](#)

# VISION ZERO

Zero fatalities. Zero excuses.

NORTH DAKOTA SPEEDING FINES									
MPH Over	55 mph and less 39-06.1-06 (4) Since 1983			60-65 mph 39-06.1-06 (5) Since 1985			70 mph and greater 39-06.1-06 (7) Established 2003		
	Fine	Cities	Cities	Fine	Cities	Cities	Fine	Cities	Cities
1 mph	\$ 5	\$ 10		\$ 2	\$ 4		\$ 5		
2 mph	\$ 5	\$ 10		\$ 4	\$ 8		\$ 10		
3 mph	\$ 5	\$ 10		\$ 6	\$ 12		\$ 15		
4 mph	\$ 5	\$ 10		\$ 8	\$ 16		\$ 20		
5 mph	\$ 5	\$ 10		\$ 10	\$ 20		\$ 25		
6 mph	\$ 6	\$ 12		\$ 12	\$ 24		\$ 30		
7 mph	\$ 7	\$ 14		\$ 14	\$ 28		\$ 35		
8 mph	\$ 8	\$ 16		\$ 16	\$ 32		\$ 40		
9 mph	\$ 9	\$ 18		\$ 18	\$ 36		\$ 45		
10 mph	\$10	\$ 20		\$ 20	\$ 40		\$ 50		
11 mph	\$11	\$ 22		\$ 25	\$ 50		\$ 55		
12 mph	\$12	\$ 24		\$ 30	\$ 60		\$ 60		
13 mph	\$13	\$ 26		\$ 35	\$ 70		\$ 65		
14 mph	\$14	\$ 28		\$ 40	\$ 80		\$ 70		
15 mph	\$15	\$ 30		\$ 45	\$ 90		\$ 75		
16 mph	\$17	\$ 34		\$ 50	\$100		\$ 80		
17 mph	\$19	\$ 38		\$ 55	\$110		\$ 85		
18 mph	\$21	\$ 42		\$ 60	\$120		\$ 90		
19 mph	\$23	\$ 46		\$ 65	\$130		\$ 95		
20 mph	\$25	\$ 50		\$ 70	\$140		\$100		
21 mph	\$28	\$ 56	\$112	\$ 75	\$150	\$300	\$105	\$ 210	\$ 420
22 mph	\$31	\$ 62	\$124	\$ 80	\$160	\$320	\$110	\$ 220	\$ 440
23 mph	\$34	\$ 68	\$136	\$ 85	\$170	\$340	\$115	\$ 230	\$ 460
24 mph	\$37	\$ 74	\$148	\$ 90	\$180	\$360	\$120	\$ 240	\$ 480
25 mph	\$40	\$ 80	\$160	\$ 95	\$190	\$380	\$125	\$ 250	\$ 500
26 mph	\$43	\$ 86	\$172	\$100	\$200	\$400	\$130	\$ 260	\$ 520
27 mph	\$46	\$ 92	\$184	\$105	\$210	\$420	\$135	\$ 270	\$ 540
28 mph	\$49	\$ 98	\$196	\$110	\$220	\$440	\$140	\$ 280	\$ 560
29 mph	\$52	\$104	\$208	\$115	\$230	\$460	\$145	\$ 290	\$ 580
30 mph	\$55	\$110	\$220	\$120	\$240	\$480	\$150	\$ 300	\$ 600
31 mph	\$58	\$116	\$232	\$125	\$250	\$500	\$155	\$ 310	\$ 620
32 mph	\$61	\$122	\$244	\$130	\$260	\$520	\$160	\$ 320	\$ 640
33 mph	\$64	\$128	\$256	\$135	\$270	\$540	\$165	\$ 330	\$ 660
34 mph	\$67	\$134	\$268	\$140	\$280	\$560	\$170	\$ 340	\$ 680
35 mph	\$70	\$140	\$280	\$145	\$290	\$580	\$175	\$ 350	\$ 700
36 mph	\$73	\$146	\$292	\$150	\$300	\$600	\$180	\$ 360	\$ 720
Current fee that hasn't been raised under 40-05-06				New fee cities could asses if they were already raised under 40-05-06					
Current fee for roads increased under 40-05-06				Proposed fine increase for roads not raised under 40-05-06					

# VISION ZERO

Zero fatalities. Zero excuses.

CONSTRUCTION ZONE FINES							
39-06.1-06 (9)							
First Established 1995							
MPH Over	55 mph and less zones				60-65 mph zones		
	Fine	Workers Present	Cities		Fine	Workers Present	Cities
1 mph	\$ 5	\$ 80			\$ 2	\$ 80	
2 mph	\$ 5	\$ 80			\$ 4	\$ 80	
3 mph	\$ 5	\$ 80			\$ 6	\$ 80	
4 mph	\$ 5	\$ 80			\$ 8	\$ 80	
5 mph	\$ 5	\$ 80			\$ 10	\$ 80	
6 mph	\$ 6	\$ 80			\$ 12	\$ 80	
7 mph	\$ 7	\$ 80			\$ 14	\$ 80	
8 mph	\$ 8	\$ 80			\$ 16	\$ 80	
9 mph	\$ 9	\$ 80			\$ 18	\$ 80	
10 mph	\$10	\$ 80			\$ 20	\$ 80	
11 mph	\$11	\$ 82			\$ 25	\$ 82	
12 mph	\$12	\$ 84			\$ 30	\$ 84	
13 mph	\$13	\$ 86			\$ 35	\$ 86	
14 mph	\$14	\$ 88			\$ 40	\$ 88	
15 mph	\$15	\$ 90			\$ 45	\$ 90	
16 mph	\$17	\$ 92			\$ 50	\$ 92	
17 mph	\$19	\$ 94			\$ 55	\$ 94	
18 mph	\$21	\$ 96			\$ 60	\$ 96	
19 mph	\$23	\$ 98			\$ 65	\$ 98	
20 mph	\$25	\$ 100			\$ 70	\$ 100	
21 mph	\$28	\$ 102	\$ 204		\$ 75	\$ 102	\$ 204
22 mph	\$31	\$ 104	\$ 208		\$ 80	\$ 104	\$ 208
23 mph	\$34	\$ 106	\$ 212		\$ 85	\$ 106	\$ 212
24 mph	\$37	\$ 108	\$ 216		\$ 90	\$ 108	\$ 216
25 mph	\$40	\$ 110	\$ 220		\$ 95	\$ 110	\$ 220
26 mph	\$43	\$ 112	\$ 224		\$ 100	\$ 112	\$ 224
27 mph	\$46	\$ 114	\$ 228		\$ 105	\$ 114	\$ 228
28 mph	\$49	\$ 116	\$ 232		\$ 110	\$ 116	\$ 232
29 mph	\$52	\$ 118	\$ 236		\$ 115	\$ 118	\$ 236
30 mph	\$55	\$ 120	\$ 240		\$ 120	\$ 120	\$ 240
Current fee that hasn't been raised under 40-05-06					When workers present a minimum of \$80 unless greater fee applicable		
Proposed new fine and currently what cities are allowed under 40-05-06 when workers are present							



Zero fatalities. Zero excuses.

<b>School Zone Fines 39-06.1-06 (8) First Established 2001</b>			
<b>MPH Over</b>	<b>Fine</b>	<b>Children Present</b>	<b>Cities</b>
1 mph	\$ 5	\$ 40	
2 mph	\$ 5	\$ 40	
3 mph	\$ 5	\$ 40	
4 mph	\$ 5	\$ 40	
5 mph	\$ 5	\$ 40	
6 mph	\$ 6	\$ 40	
7 mph	\$ 7	\$ 40	
8 mph	\$ 8	\$ 40	
9 mph	\$ 9	\$ 40	
10 mph	\$ 10	\$ 40	
11 mph	\$ 11	\$ 41	
12 mph	\$ 12	\$ 42	
13 mph	\$ 13	\$ 43	
14 mph	\$ 14	\$ 44	
15 mph	\$ 15	\$ 45	
16 mph	\$ 17	\$ 46	
17 mph	\$ 19	\$ 47	
18 mph	\$ 21	\$ 48	
19 mph	\$ 23	\$ 49	
20 mph	\$ 25	\$ 50	
21 mph	\$ 28	\$ 51	\$ 102
22 mph	\$ 31	\$ 52	\$ 104
23 mph	\$ 34	\$ 53	\$ 106
24 mph	\$ 37	\$ 54	\$ 108
25 mph	\$ 40	\$ 55	\$ 110
26 mph	\$ 43	\$ 56	\$ 112
27 mph	\$ 46	\$ 57	\$ 114
28 mph	\$ 49	\$ 58	\$ 116
29 mph	\$ 52	\$ 59	\$ 118
30 mph	\$ 55	\$ 60	\$ 120
	<b>Current fee that hasn't been raised under 40-05-06</b>		
	<b>When children present a minimum \$40 unless greater fee applicable</b>		
	<b>Proposed new fine and currently what cities are allowed under 40-05-06 when children are present</b>		



January 18, 2023

Senator David A. Clemens  
State Capitol  
600 E. Boulevard Ave.  
Bismarck, ND 58505

AAA-The Auto Club Group  
4950 13<sup>th</sup> Ave. S., Ste. 15  
Fargo, ND 58103-7268

(701) 367-9257  
[eladoucer@acg.aaa.com](mailto:eladoucer@acg.aaa.com)

Chairman Clemens and Members of the Senate Transportation Committee,

AAA recognizes that many drivers like to exceed the speed limit. While we'd like to think people find the drive across our Legendary state relaxing and the sights inspirational, a good number of drivers want to cut every minute they can off their trips. While we don't condone exceeding posted speed limits, we're not opposed to some leeway in enforcement as long as the safety of all road users is considered.

Exceeding the speed limit by a few miles per hour can be seen as "pressing" the limit; however, AAA views speeds in excess of 15 mph over the limit on interstate highways, or 10 mph on residential streets, as aggressive. A speed of more than 20 mph over a posted speed limit is not only aggressive, it is irresponsible and very unsafe. At that point a driver would be approaching 100 mph on an interstate or 55-60 mph on many city streets. Consider the following:

High speeds lead to more deaths. Research shows that as speeds go up, so do fatal crashes. Higher speeds increase closing rates, reduce reaction time and increase crash severity. High speeds are a factor in about one-third of fatal crashes each year in North Dakota.

Speed has a significant impact on pedestrian safety. The average risk of death for pedestrians increases exponentially the faster a vehicle is traveling, from 10% at 23 mph to 90% at 58 mph.

Even small speed increases can have huge impacts on crash outcomes and cancel the effectiveness of vehicle safety features, according to crash tests by the AAA Foundation for Traffic Safety, the Insurance Institute for Highway Safety and Humanetics. The faster a driver is going before a crash, the less likely the vehicle will slow to a survivable speed even if the driver has a chance to brake before impact. Cars are safer than they've ever been, but they cannot defy the laws of physics.

High speeds during hours of darkness are an even bigger concern as posted speeds are already exceeding the capabilities of vehicle headlights on most highways. AAA testing found that even with the most advanced headlight systems under ideal weather conditions, the ability to see an object in the roadway at night is reduced by as much as 60 percent when compared to driving in daylight. On high beam, headlights provide adequate lighting for maximum speeds of 48 to 55 mph.

The most widely accepted method by state and local agencies is to set the speed limit at or below the speed at which 85 percent of the traffic is moving. The 85th percentile speed is the speed not exceeded by 85 percent of drivers. In North Dakota, the 85th percentile speed on both I-29 and I-94 is about 82 mph, about 7 mph over the speed limit, according to the ND Department of Transportation. Speeds of more than 13 mph over the 85th percentile create increased crash risks for everyone sharing the road with aggressive drivers.

The overwhelming majority of North Dakota drivers disapprove of driving 20 mph or more over the posted speed limit. While a AAA survey of North Dakota drivers conducted last fall found that 85% considered it acceptable to drive 5 or 10 mph over the speed limit, just 1% said it was acceptable to drive more than 20 mph over the posted speed limit.

AAA appreciates that education is often preferred over punishment and higher fines. It is AAA's position that penalties for traffic violations should be fair, equitable and set at a point this discouraged unsafe behavior. We feel that doubling the current fine for the few drivers who choose to willfully exceed posted speed limits to such an extent they endanger other road users – including pedestrians – is a suitable way to bring attention to this dangerous and unacceptable behavior.

Mr. Chairman, and members of the committee, on behalf of AAA-The Auto Club Group and our more than 70,000 members in North Dakota, I urge a "Do Pass" recommendation on SB 2168.

Sincerely,

A handwritten signature in cursive script, appearing to read "Gene LaDoucer".

Gene LaDoucer  
Regional Public Affairs Director

*AAA-The Auto Club Group (ACG) is a membership based, non-profit corporation operating in fourteen states and two US Territories. It is one of the largest American Automobile Association (AAA) clubs in the United States with approximately 14 million members. ACG provides travel, insurance, automotive, and financial services to its members. In North Dakota, AAA – The Auto Club Group serves more than 70,000 members and works to represent the interests of members and the traveling public in the state legislature.*



68<sup>th</sup> Legislative Assembly

Testimony in **Support of**

**Senate Bill 2168**

**Senate Transportation Committee**

January 19, 2023

TESTIMONY OF

**Trooper Jacob Jones**

Good morning, Chairman Clemens and members of the Senate Transportation Committee. My name is Jacob Jones, and I am a trooper with the North Dakota Highway Patrol and have been employed as such since 2011. My primary duties as a trooper have been traffic enforcement and crash reconstruction. I am here today on behalf of the North Dakota Highway Patrol in support of Senate Bill 2168, regarding the increase in penalties for those violating our state's speeding statutes by 21 or more miles per hour over the posted limit.

As a crash reconstruction analyst, I generally have the benefit of having the facts and evidence laid out before me, well after the fact, of someone being seriously injured or killed in a crash. I can sort through the evidence and generally determine vehicle speeds, drivers' actions and reactions and possibly how the crash could have been avoided or not avoided. A theme that I often see is that the circumstances surrounding crashes play out in mere seconds or fractions of a second. Poor decisions may have been made well before that but when a hazard presents itself, drivers are forced to make split second decisions. Annually, over 100 billion dollars is spent worldwide on developing and implementing automotive safety systems to protect us behind the wheel when we overdrive our skill level or vehicle capabilities. Driving a vehicle is hands down one of the most dangerous things most of us do every day. Many of us have been in a crash before or statistically will be at some point in our lives. Every time we drive down main street, a state highway, or the interstate, we are no more than a few feet away from tragedy, but we get used to it and we get complacent with our driving habits. Simply ride along with any law enforcement agency in the state for a few days and you will more than likely get to see the aftermath of a crash firsthand.

We have all been taught from a young age that speeding is dangerous. In grade school we are taught not to run in the halls, in middle school we go through driver's education and learn the dangers of speeding. Some of us may have jobs that require us to take defensive driving from time to time. Even though we all know that speed kills, 34% of fatal crashes in 2020 involved speed/aggressive driving (2020 ND Crash Summary). Most likely that number is under-reported due to crashes like single vehicle rollovers not being fully reconstructed and speed never being determined. Those 33 fatal crashes involved obvious speed or aggressive driving where an officer at the scene marked it on the initial State Crash report or possibly provided a supplement after an investigation was complete. That number is no doubt much higher.

When presented with a hazard there are several steps to avoiding the hazard. You have to see the hazard, you have to understand that it is a hazard, you have to make a decision on how to avoid the hazard, you have to make a physical movement (like moving your foot to the brake and



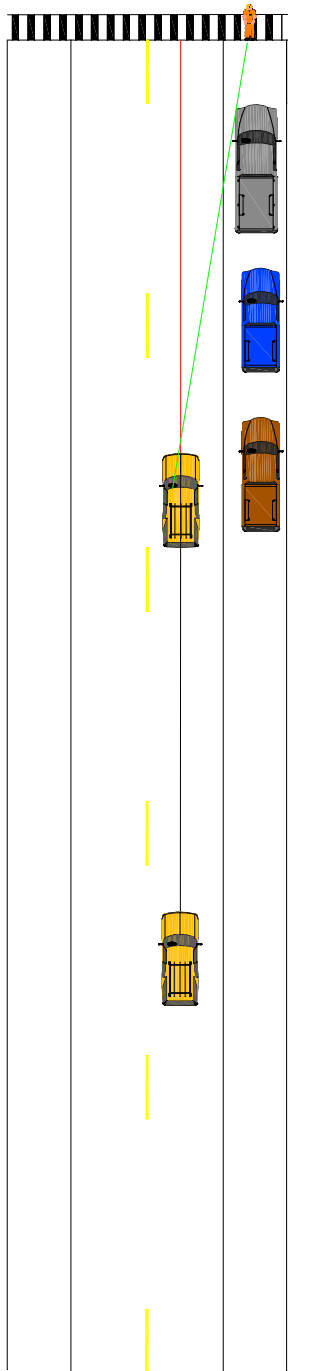
pressing it). All other distractions aside, that is a lot to figure out in short time. Usually, our brains can sort through all this information in about 1 to 2 seconds from first seeing a hazard to slamming on the brakes and getting pitched forward in your seat. The relationship between speed and stopping distance is not linear, it is exponential. This means that the faster you go the more distance is required to perceive, react and avoid a hazard; not to mention the increased distance required to physically stop the vehicle. In other words, each mph you go faster, the rate that you pay in stopping distance increases.

Obviously, any degree of speeding over the engineered speed limit is dangerous, but today I will show you an example of why going 21 mph over the speed limit is extremely dangerous. I will use a relatable example of a pedestrian stepping into a crosswalk in city limits. Picture Main street downtown Bismarck where the speed limit is 25 mph. You are driving down the road passing numerous vehicles parked along the right-hand curb. You are coming up to an intersection with a crosswalk. The last vehicle on your right is parked the required 10 feet from the crosswalk. You're scanning for pedestrians, but the parked vehicles make it difficult to see the corner where one could be standing. Suddenly you see someone walking out into the crosswalk. You are about 65 feet or 3.5 vehicle lengths from the crosswalk. You react quickly because you are expecting the hazard. You can perceive the hazard and react to it in 1 second (covering 36 feet in that one second). You take 29 feet to brake the vehicle to a stop. You avoid the pedestrian by being able to stop before the crosswalk. I provided a diagram as a part of this testimony for visual purposes. Imagine the same scenario but with a driver (not you of course) traveling 21 mph over the posted 25 mph limit, moving along at 46 mph. The pedestrian steps out, only this time the driver covers 67 feet during that 1 second of perception reaction time and strikes the pedestrian at a full 46 mph because their foot is most likely just beginning to touch the surface of the brake pedal. It should be mentioned that any speed above 25 mph the pedestrian will be struck at various speeds below 46 mph.

I used this example because it shows how dangerous speeding is at any level. However, at 21 mph over the speed limit, there are circumstances where a driver doesn't even have a chance to reduce the speed of the vehicle where a lawful driver could completely avoid a crash. While we can't prevent every driver from making dangerous decisions, if this bill became a law and deterred even some drivers from speeding then it would be worthwhile. Thank you for your time and I would be happy to answer any questions.

25 mph (36 fps)  
65 feet to impact  
PRT 1.0 seconds  
PRT Dist. 36 feet  
Stop Dist. 29 feet  
Total stop = 65 feet

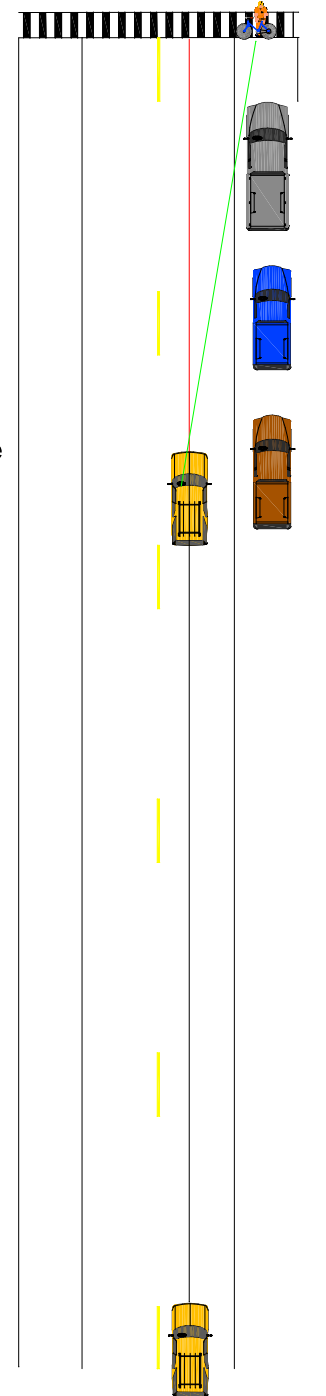
137 foot gap  
GAP 3.8 sec.



46 mph (67 fps)  
65 feet to impact  
PRT 1.0 seconds  
PRT Dist. 67 feet  
Stop Dist. 100 feet  
Total stop = 167 feet

If this crash was somehow avoided and witnessed by law enforcement, current fine would be \$28 for the speed offense. This bill would increase that fine to \$56.

199 foot gap  
GAP 5.5 sec.





## Senate Bill No. 2168

**Senate Transportation Committee**  
Room 327E | January 19, 2023, 9 a.m.  
Karin Mongeon, Highway Safety

Good morning, Chairman Clemens and members of the committee. My name is Karin Mongeon and I am the Highway Safety Division Director for the North Dakota Department of Transportation (NDDOT). I am here this morning to speak in favor of SB 2168.

Speeding endangers everyone on the road. It greatly reduces the driver's ability to slow a vehicle when necessary or to steer safely around an unexpected curve, or another vehicle or hazardous object in the road. Most motorists rarely drive aggressively, and some never do. For others, episodes of speeding/aggressive driving are frequent, and for a small proportion of motorists it is their typical driving behavior.

There is a direct correlation between collision speed and the *severity* of a crash. The higher the collision speed, the more serious the consequences in terms of injury and material damage.

In addition, the human body is physically very vulnerable in comparison with the enormous forces released in a collision. During the past decades, vehicles have become better equipped (with crush areas, airbags and seatbelts) to absorb the energy released in a crash, thus protecting the occupants. However, the collision speed is still very important for the crash outcome. *(Source: Institute for Road Safety Research)*

In 2021, a speed/aggressive driving-involved crash occurred in North Dakota every 2.5 hours, on average.

### *Vision Zero*

The NDDOT, along with the North Dakota Highway Patrol, is assigned responsibility for the public safety of road users. Both agencies take this responsibility very seriously and are partners in the North Dakota the Vision Zero strategy to reduce motor vehicle crash deaths and serious injuries in North Dakota to zero.

Vision Zero was launched five years ago in January 2018 along with the North Dakota Governor's Office and other state, public and private sector partners. Vision Zero has been successful through the application of a combination of strategies that include education/outreach, high visibility enforcement, infrastructure safety solutions and other strategies.

Reducing speed/aggressive driving crashes presents a significant opportunity to reduce total fatality and serious injury crashes through Vision Zero.

This concluded my testimony. I am happy to respond to any questions you may have.



Good morning, Chairman Ruby and members of the House Transportation Committee. My name is Wade Kadrmas, and I serve as the Chair for the Vision Zero Speeding and Aggressive Driving Priority Emphasis Area Team. I am here today on behalf of the team, in support of Senate Bill 2168. I have been in law enforcement for over 25 years. I served three years as a correctional officer in Dickinson, three years as a police officer for the City of Dickinson, and the past 18 years as a trooper for the North Dakota Highway Patrol, serving the last five as the agency's Safety and Education Officer, focusing on traffic safety and outreach.

The mission of the Speeding/Aggressive Driving Team is to explore ways to address behaviors of motorists that lead to serious injury/fatality crashes. Drivers are taught and encouraged to drive defensively, not aggressively. Aggressive driving violations include exceeding the speed limit; running stop signs and red lights; turning/passing violations; improper lane changes; following too close; and distracted driving. Drivers who frequently engage in these driving behaviors choose to ignore the safety of other roadway users, putting themselves and other motorists at risk of being involved in a serious injury/fatality crash.

The current Speeding/Aggressive Driving Team is comprised of traffic engineers; driver's education instructors; and representatives from work force safety, law enforcement, and private corporations. As elected officials, I encourage you to participate in one or more of the Vision Zero Priority Area Emphasis teams, your role as elected officials is vital in helping create safer roadways in our state.

The bill before you would increase speeding fines for speeds of 21 mph and greater over the posted speed limit. If passed, these fees would be increased one hundred percent, doubling the fee. The spreadsheets on pages three, four, and five reflect the changes that would occur if the bill passed in its current form.

Earlier this session, the House Transportation Committee added an amendment to HB 1325, which relates to increasing the fee for certain intersection violations. That amendment eliminated the ability of cities to double traffic fines. Section two of SB 2168 exists so cities wouldn't be able to double the enhanced fine. The bill was drafted in this manner due to the failure of HB 1279 during the 67<sup>th</sup> legislative session. HB 1279 would have standardized speeding fines, making simpler for drivers to understand the penalty, instead of penalties, for exceeding the speed limit in any zone. It would have created one fee schedule for all speed zones. One reason it failed was due to concerns over cities being allowed to double traffic fees.

The intent of SB 2168 is to deter drivers who unreasonably exceed the posted speed limit. Penalties for speeding haven't been adjusted on most North Dakota roads since 1983. Law enforcement and traffic safety partners work tirelessly to educate the public about the dangers of speeding, but we need your help to pass legislation that enhances our education efforts by deterrence. The motorists who chose to travel well above the 85<sup>th</sup> percentile are exceeding the safe and reasonable speed for the road endangering themselves and other roadway users. On pages 10 and 11 of the testimony is data showing the 85<sup>th</sup> percentile on a number of our major roads.

# VISION ZERO

Zero fatalities. Zero excuses.

Earlier this session I testified on HB 1475 on behalf of the Speeding/Aggressive Driving Team. HB 1475 would raise the speed limit on the interstate to 80 mph. We offered an amendment that would have moved all speeding fee schedules to the interstate/divided highway fee schedule, which is five dollars for every mile per hour over the posted limit. This was initially attempted in 2003 when the interstate speed limit was raised to 75 mph, the higher two fee structures were increased during at this time. The Speeding/Aggressive Driving Team believes it would have been a reasonable step to address speeding in general on our roadways since it would have moved all fee schedules to our most fee schedule. In addition to simplifying our fee schedules another reason for the request was to address the speed zones that see the most serious crashes, depicted in the map at the end of my testimony. Unfortunately, the Committee took no steps to address speeding with HB 1475, so we ask for your support on SB 2168 to do so.

In North Dakota speed continues to be a factor in fatal crashes. In 2021, thirty-four percent of fatal crashes involved speed or aggressive driving. Over the past five years (2017-2021), speed and aggressive driving were contributing factors in 178 deaths and forty percent of serious injury crashes (659 of 1,625).

Over the past three years (2020-2022), 284 severe crashes occurred on roadways with speed limits between 55 mph and 70 mph. During that same time frame, 859 severe crashes were on roadways with a speed limit of 55 mph or less.

We need to adequately address drivers who exceed our speed limits for many reasons. The [Insurance Institute for Highway Safety](#) list the following as dangers of speed:

- speed increases the distance a vehicle travels from the time a driver detects an emergency to the time the driver reacts.
- speed increases the distance needed for a vehicle to stop once the driver starts to brake.
- speed increases the risk that an evasive steering maneuver will result in loss of control.
- speed increases the crash energy exponentially.

The established speed limit on a roadway frames expectations for all drivers to accept and follow. These expectations are set according to road engineering design and studies based on traffic volume, operating speeds, roadway characteristics, and crash history. When a driver chooses to exceed the posted speed limit, that choice inhibits other roadway users from full use of their reaction time and by introducing more energy into a crash which significantly raises the likelihood of serious injury or death.

All drivers must accept the potential risk when they get behind the wheel and travel on our roadways, but they should not have to accept the increased risk other motorists take when exceeding the posted speed limit by such a high rate. On behalf of the Vision Zero Speeding and Aggressive Driving Team, I respectfully ask for your support on SB 2168 to enhance speeding penalties to deter the risk-taking behaviors of these aggressive drivers.

# VISION ZERO

Zero fatalities. Zero excuses.

## SB 2168

SB 2168							
MPH Over	55 mph and less 39-06.1-06 (4) Since 1983		60-65 mph 39-06.1-06 (5) Since 1985		70 mph and greater 39-06.1-06 (7) Established 2003		
	Fine	Proposed Fine	Fine	Proposed Fine	Fine	Proposed Fine	
1 mph	\$ 5		\$ 2		\$ 5		
2 mph	\$ 5		\$ 4		\$ 10		
3 mph	\$ 5		\$ 6		\$ 15		
4 mph	\$ 5		\$ 8		\$ 20		
5 mph	\$ 5		\$ 10		\$ 25		
6 mph	\$ 6		\$ 12		\$ 30		
7 mph	\$ 7		\$ 14		\$ 35		
8 mph	\$ 8		\$ 16		\$ 40		
9 mph	\$ 9		\$ 18		\$ 45		
10 mph	\$ 10		\$ 20		\$ 50		
11 mph	\$ 11		\$ 25		\$ 55		
12 mph	\$ 12		\$ 30		\$ 60		
13 mph	\$ 13		\$ 35		\$ 65		
14 mph	\$ 14		\$ 40		\$ 70		
15 mph	\$ 15		\$ 45		\$ 75		
16 mph	\$ 17		\$ 50		\$ 80		
17 mph	\$ 19		\$ 55		\$ 85		
18 mph	\$ 21		\$ 60		\$ 90		
19 mph	\$ 23		\$ 65		\$ 95		
20 mph	\$ 25		\$ 70		\$ 100		
21 mph	<del>\$ 28</del>	\$ 56	<del>\$ 75</del>	\$ 150	<del>\$ 105</del>	\$ 210	
22 mph	<del>\$ 31</del>	\$ 62	<del>\$ 80</del>	\$ 160	<del>\$ 110</del>	\$ 220	
23 mph	<del>\$ 34</del>	\$ 68	<del>\$ 85</del>	\$ 170	<del>\$ 115</del>	\$ 230	
24 mph	<del>\$ 37</del>	\$ 74	<del>\$ 90</del>	\$ 180	<del>\$ 120</del>	\$ 240	
25 mph	<del>\$ 40</del>	\$ 80	<del>\$ 95</del>	\$ 190	<del>\$ 125</del>	\$ 250	
26 mph	<del>\$ 43</del>	\$ 86	<del>\$ 100</del>	\$ 200	<del>\$ 130</del>	\$ 260	
27 mph	<del>\$ 46</del>	\$ 92	<del>\$ 105</del>	\$ 210	<del>\$ 135</del>	\$ 270	
28 mph	<del>\$ 49</del>	\$ 98	<del>\$ 110</del>	\$ 220	<del>\$ 140</del>	\$ 280	
29 mph	<del>\$ 52</del>	\$ 104	<del>\$ 115</del>	\$ 230	<del>\$ 145</del>	\$ 290	
30 mph	<del>\$ 55</del>	\$ 110	<del>\$ 120</del>	\$ 240	<del>\$ 150</del>	\$ 300	
31 mph	<del>\$ 58</del>	\$ 116	<del>\$ 125</del>	\$ 250	<del>\$ 155</del>	\$ 310	
32 mph	<del>\$ 61</del>	\$ 122	<del>\$ 130</del>	\$ 260	<del>\$ 160</del>	\$ 320	
33 mph	<del>\$ 64</del>	\$ 128	<del>\$ 135</del>	\$ 270	<del>\$ 165</del>	\$ 330	
34 mph	<del>\$ 67</del>	\$ 134	<del>\$ 140</del>	\$ 280	<del>\$ 170</del>	\$ 340	
35 mph	<del>\$ 70</del>	\$ 140	<del>\$ 145</del>	\$ 290	<del>\$ 175</del>	\$ 350	
36 mph	<del>\$ 73</del>	\$ 146	<del>\$ 150</del>	\$ 300	<del>\$ 180</del>	\$ 360	

# VISION ZERO

Zero fatalities. Zero excuses.

Current Construction Zone Fines 39-06.1-06 (9) First Established 1995							
55 mph and less zones				60-65 mph zones			
MPH Over	Fine	Workers Present	Proposed Fine	Fine	Workers Present	Proposed Fine	
1 mph	\$ 5	\$ 80		\$ 2	\$ 80		
2 mph	\$ 5	\$ 80		\$ 4	\$ 80		
3 mph	\$ 5	\$ 80		\$ 6	\$ 80		
4 mph	\$ 5	\$ 80		\$ 8	\$ 80		
5 mph	\$ 5	\$ 80		\$ 10	\$ 80		
6 mph	\$ 6	\$ 80		\$ 12	\$ 80		
7 mph	\$ 7	\$ 80		\$ 14	\$ 80		
8 mph	\$ 8	\$ 80		\$ 16	\$ 80		
9 mph	\$ 9	\$ 80		\$ 18	\$ 80		
10 mph	\$ 10	\$ 80		\$ 20	\$ 80		
11 mph	\$ 11	\$ 82		\$ 25	\$ 82		
12 mph	\$ 12	\$ 84		\$ 30	\$ 84		
13 mph	\$ 13	\$ 86		\$ 35	\$ 86		
14 mph	\$ 14	\$ 88		\$ 40	\$ 88		
15 mph	\$ 15	\$ 90		\$ 45	\$ 90		
16 mph	\$ 17	\$ 92		\$ 50	\$ 92		
17 mph	\$ 19	\$ 94		\$ 55	\$ 94		
18 mph	\$ 21	\$ 96		\$ 60	\$ 96		
19 mph	\$ 23	\$ 98		\$ 65	\$ 98		
20 mph	\$ 25	\$ 100		\$ 70	\$ 100		
21 mph	<del>\$ 28</del>	<del>\$ 102</del>	\$ 204	<del>\$ 75</del>	<del>\$ 102</del>	\$ 204	
22 mph	<del>\$ 31</del>	<del>\$ 104</del>	\$ 208	<del>\$ 80</del>	<del>\$ 104</del>	\$ 208	
23 mph	<del>\$ 34</del>	<del>\$ 106</del>	\$ 212	<del>\$ 85</del>	<del>\$ 106</del>	\$ 212	
24 mph	<del>\$ 37</del>	<del>\$ 108</del>	\$ 216	<del>\$ 90</del>	<del>\$ 108</del>	\$ 216	
25 mph	<del>\$ 40</del>	<del>\$ 110</del>	\$ 220	<del>\$ 95</del>	<del>\$ 110</del>	\$ 220	
26 mph	<del>\$ 43</del>	<del>\$ 112</del>	\$ 224	<del>\$ 100</del>	<del>\$ 112</del>	\$ 224	
27 mph	<del>\$ 46</del>	<del>\$ 114</del>	\$ 228	<del>\$ 105</del>	<del>\$ 114</del>	\$ 228	
28 mph	<del>\$ 49</del>	<del>\$ 116</del>	\$ 232	<del>\$ 110</del>	<del>\$ 116</del>	\$ 232	
29 mph	<del>\$ 52</del>	<del>\$ 118</del>	\$ 236	<del>\$ 115</del>	<del>\$ 118</del>	\$ 236	
30 mph	<del>\$ 55</del>	<del>\$ 120</del>	\$ 240	<del>\$ 120</del>	<del>\$ 120</del>	\$ 240	

When workers present a minimum of \$80 unless greater fee applicable



# VISION ZERO

Zero fatalities. Zero excuses.

Current School Zone Penalties 39-06.1-06 (8) Established in 2001			SB2168
MPH Over	Fine	Children Present	Children Present
1 mph	\$ 5	\$ 40	
2 mph	\$ 5	\$ 40	
3 mph	\$ 5	\$ 40	
4 mph	\$ 5	\$ 40	
5 mph	\$ 5	\$ 40	
6 mph	\$ 6	\$ 40	
7 mph	\$ 7	\$ 40	
8 mph	\$ 8	\$ 40	
9 mph	\$ 9	\$ 40	
10 mph	\$ 10	\$ 40	
11 mph	\$ 11	\$ 41	
12 mph	\$ 12	\$ 42	
13 mph	\$ 13	\$ 43	
14 mph	\$ 14	\$ 44	
15 mph	\$ 15	\$ 45	
16 mph	\$ 17	\$ 46	
17 mph	\$ 19	\$ 47	
18 mph	\$ 21	\$ 48	
19 mph	\$ 23	\$ 49	
20 mph	\$ 25	\$ 50	
21 mph	<del>\$ 28</del>	<del>\$ 51</del>	\$ 102
22 mph	<del>\$ 31</del>	<del>\$ 52</del>	\$ 104
23 mph	<del>\$ 34</del>	<del>\$ 53</del>	\$ 106
24 mph	<del>\$ 37</del>	<del>\$ 54</del>	\$ 108
25 mph	<del>\$ 40</del>	<del>\$ 55</del>	\$ 110
26 mph	<del>\$ 43</del>	<del>\$ 56</del>	\$ 112
27 mph	<del>\$ 46</del>	<del>\$ 57</del>	\$ 114
28 mph	<del>\$ 49</del>	<del>\$ 58</del>	\$ 116
29 mph	<del>\$ 52</del>	<del>\$ 59</del>	\$ 118
30 mph	<del>\$ 55</del>	<del>\$ 60</del>	\$ 120
When children present a minimum of \$40 unless greater fee applicable			

# VISION ZERO

Zero fatalities. Zero excuses.

## North Dakota Point System

- Driving privileges are suspended upon an accumulation of 12 points.
- For each point over 11 it is suspended for a period of 7 days.
- Drivers under the age of 18 will have their licensed canceled upon an accumulation of 6 points.
- One points is removed every 90 days of violation free driving.
- Three points can be reduced if a driver takes an approved defensive driving course, which can only be done once every 12 months.
- Drivers issued a citation with a penalty of five points or less may elect to attend an approved driving course in lieu of entry of points on their driving record. The driver must notify the court at the time they post their bond and provide proof of course complete to DOT within 30 days.
- Insurance companies only see violations assigned 3 points or more unless the driver signs a waiver for the insurance company to view their entire driving record.
- Below is a list of points for various violations. If the violation isn't listed, then there is no point assigned to that violation.
- An example of this is for driving distracted or texting and driving. There are no points assigned to these dangerous driving behaviors. These fall under [NDCC 39-08-23, 39-08-24, and 39-08-25](#).

For Violations not listed, no Points are assigned.

Speed Zones Less Than 70 mph	
Speed (mph)	Points
1 - 5 mph over limit	0
6 - 10 mph over limit	0
11 - 15 mph over limit	1
16 - 20 mph over limit	3
21 - 25 mph over limit	5
26 - 35 mph over limit	9
36 - 45 mph over limit	12
46 mph plus over limit	15

Speed Zones 70 mph or Greater	
Speed (mph)	Points
1 - 5 mph over limit	0
6 - 10 mph over limit	1
11 - 15 mph over limit	3
16 - 20 mph over limit	5
21 - 25 mph over limit	7
26 - 30 mph over limit	10
31 - 35 mph over limit	12
36 mph plus over limit	15

# VISION ZERO

Zero fatalities. Zero excuses.

Traffic Violations	
Violation	Points
Overtaking where prohibited or unlawful.	2
Driving on wrong side of road	2
Failing to yield right-of-way	2
Failing to use care required	2
Disobeying traffic control signals	2
Failing to yield-right-of-way to funeral procession	2
Knowingly driving illegally modified vehicle	2
Open container (Driver)	2
Exhibition driving	3
Violating corrective lens restriction	3
Failing to stop at RR crossing	3
Violating or exceeding restriction contained in a restricted certificate or license or Instructional Permit	4
Clinging to other vehicle while riding a motorcycle	4
Operating a motor vehicle without a license	4
Overtaking a school bus	6
Failing to give immediate notice of accident	6
Careless driving (Basic Rule)	6
No liability insurance	6, 12, or 14
Reckless driving	8
Racing in a motor vehicle	10
Aggravated reckless driving	12
Leaving the scene of accident involving property damage	14
Leaving the scene of accident involving injury or death	18
Fleeing from law enforcement officer in a motor vehicle	24

Traffic Violations	
Violation	Points
Operator/Responsible party failing to provide child restraint device.	1
Failing to display license plates	1
Unlawful parking in specified prohibited places	1
Leaving motor vehicle improperly unattended on an open highway	1
Opening or leaving motor vehicle doors open when unsafe to do so	1
Nonmoving violation of parking in a space assigned for the mobility impaired	0
Failing to dim head lamps	1
Violating hazardous material regulations	2
Knowingly operating an unsafe vehicle	2
Improperly operating or unlawfully carrying passengers or packages on a motorcycle	2
Improperly operating a motorcycle in laned traffic	2
Carrying a passenger on a motorcycle not equipped with passenger footrests	2
Operating a motorcycle without protective headgear	2
Permitting unauthorized minor or person to drive	2
Driving in Violation of the Conditions of an Instruction Permit(Effective January 1, 2012)	2
Unlawful stopping, standing, or parking on an open highway	2
Causing accident w/emergency vehicle	2
Knowingly driving with defective, non-existent or unlawful equipment	2
Knowingly driving with defective brakes	2
Disregarding lawful command of police officer	2

# VISION ZERO

Zero fatalities. Zero excuses.

## Enhanced Penalty for Higher Speeds Handout

- North Dakota – Speed-Related Crashes
  - Speeding or traveling too fast for conditions is a factor in about 30-40 percent of all fatal crashes in North Dakota each year. (Source: NDDOT Highway Safety Division)
  - There were 160 fatal crashes on North Dakota roadways from 2017-2021. Of these, 33.8 percent (160 of 473) were related to speed/too fast for conditions. (Source: NDDOT Highway Safety Division)
  - There were 1,652 serious injury crashes on North Dakota roadways from 2017-2021. Of these, 39.9 percent (659 of 1,652) were related to speed/too fast for conditions. (Source: NDDOT Highway Safety Division)
  - Of the 659 speed-related crashes that resulted in a fatality or serious injury on North Dakota roadways from 2017-2021, 23 percent (151 of 659) were speed-related rollover crashes.
  - 178 people have died in speed/aggressive driving-involved crashes in North Dakota over the past five years (2017-2021). Know the road conditions and adjust your speed accordingly. (*NDDOT Crash Summary*)
  - Nearly every 2.4 hours, one speed/aggressive driving-involved crash occurred in North Dakota in 2021. Stop speeding before it stops you. (*NDDOT Crash Summary*)
  - Every 10.4 days, one speed/aggressive driving-involved vehicle fatality occurred in North Dakota in 2021. Plan ahead and allow extra time so everyone can make it to their destination safely. (*NDDOT Crash Summary*)
  - Speeding and/or aggressive driving has been a factor in 34% of fatal crashes in North Dakota in 2021. Slow down and arrive alive. (*NDDOT Crash Summary*)
- Speeding isn't just aggressive driving, it's deadly driving. (*Vision Zero ND – Speed & Aggressive Driving*)
- Over 20,000 speed-related citations of 20 mph over the posted speed limit were issued from 2017-2021. (*NDDOT Drivers License*)

# VISION ZERO

Zero fatalities. Zero excuses.

- All too often, drivers make the wrong choice by trying to pass slower traffic or drive too fast for road conditions. Think ahead. The stopping distance at 20 mph is about 60 feet. At 65 mph, you may travel 450 feet or more before stopping. (*Vision Zero ND – Speed & Aggressive Driving*)
- Every driver and vehicle occupant in North Dakota need to take personal responsibility for their actions while travelling in order to help the state achieve the zero goal. (*Vision Zero ND – Speed & Aggressive Driving*)
- There is a direct correlation between collision speed and the *severity* of a crash. ***The higher the collision speed, the more serious the consequences in terms of injury and material damage.*** In addition, the human body is physically very vulnerable in comparison with the enormous forces released in a collision. During the past decades, vehicles have become ever better equipped (with crush areas, airbags and seatbelts) to absorb the energy released in a crash, thus protecting the occupants. However, the collision speed still is very important for the crash outcome. (Source: Institute for Road Safety Research)
- FHWA is currently promoting a Safe Systems approach to safety on our roadways. One of the elements of the Safe Systems approach is safe speeds. FHWA states “Humans are unlikely to survive high-speed crashes. Reducing speeds can accommodate human injury tolerances in three ways: reducing impact forces, providing additional time for drivers to stop, and improving visibility”.
- Rational speed limits promote public safety by helping drivers choose reasonable and prudent speed that is appropriate for normal traffic, weather, and roadway conditions. This encourages more drivers to travel at about the same speed, which has been shown to reduce the likelihood of crashes. Rational speed limits make sense to the majority of drivers because they are not unrealistically low or high, therefore mostly self-enforcing. (Source: FHWA)
- The most widely accepted method by state and local agencies is to set the speed limit at or below the speed at which 85 percent of the traffic is moving. The 85th percentile speed is the speed not exceeded by 85 percent of drivers. Studies have shown crash rates are lowest at around the 85th percentile speed. Drivers traveling significantly faster or slower than this speed are at a greater risk for being in a crash. It is the variation of speed in traffic that is related to crash risk, not just high speeds. (Source: Speed Limits in North Dakota brochure, North Dakota Department of Transportation, North Dakota State University Upper Great Plains Transportation Institute and the North Dakota Highway Patrol)

# VISION ZERO

Zero fatalities. Zero excuses.

- Automatic Traffic Records (ATR) data shows the 50<sup>th</sup> percentile speed is about 78 mph and the 85<sup>th</sup> percentile speed is about 82 mph. (Source: NDDOT Planning/Asset Management Division)
- The 85<sup>th</sup> percentile speed is the speed at or below which 85 percent of the drivers travel on a road segment. Motorists traveling above the 85<sup>th</sup> percentile speed are considered to be exceeding the safe and reasonable speed for road and traffic conditions. Drivers traveling between the 50<sup>th</sup> and 85<sup>th</sup> percentile have the lowest risk of crashing due to speed. Drivers exceeding the 90<sup>th</sup> percentile have a significantly higher risk of crashing. (Source: FHWA)

## I-94 ATR Sites;

- Tower City all lanes, RP 312.5 = >85<sup>th</sup> percentile speed 82.5 mph
- Tower City all lanes, RP 312.5 = >50<sup>th</sup> percentile speed 77.8 mph
- New Salem all lanes, RP 126.8 = >85<sup>th</sup> percentile speed 83.8 mph
- New Salem all lanes, RP 126.8 = >50<sup>th</sup> percentile speed 79.0 mph

## I-29 ATR Sites;

- Buxton all lanes, RP 112.8 = >85<sup>th</sup> percentile speed 81.8 mph
- Buxton all lanes, RP 112.8 = >50<sup>th</sup> percentile speed 77.5 mph
- Mooreton all lanes, RP 25.0 = >85<sup>th</sup> percentile speed 83.0 mph
- Mooreton all lanes, RP 25.0 = >50<sup>th</sup> percentile speed 78.0 mph

## I-94 WIM Sites;

- Belfield EB only, RP 34.7 = >85<sup>th</sup> percentile speed 82.0 mph

## I-29 WIM Sites;

- Joliette SB only, RP 207.8 = >85<sup>th</sup> percentile speed 79.0 mph

## US 2 ATR Sites;

- Ray all lanes, RP 51.2986 = >85<sup>th</sup> percentile speed 76.5 mph
- Ray all lanes, RP 51.2986 = >50<sup>th</sup> percentile speed 71.2 mph
- Blaisdell all lanes, RP 107.10 = >85<sup>th</sup> percentile speed 78.1 mph
- Blaisdell all lanes, RP 107.10 = >50<sup>th</sup> percentile speed 73.0 mph
- Granville all lanes, RP 177.76 = >85<sup>th</sup> percentile speed 78.1 mph
- Granville all lanes, RP 177.76 = >50<sup>th</sup> percentile speed 73.2 mph
- Rugby EB lanes, RP 207.3265 = >85<sup>th</sup> percentile speed 78.1 mph
- Rugby EB lanes, RP 207.3265 = >50<sup>th</sup> percentile speed 73.0 mph
- Michigan all lanes, RP 296.65 = >85<sup>th</sup> percentile speed 78.1 mph
- Michigan all lanes, RP 296.65 = >50<sup>th</sup> percentile speed 73.0 mph

# VISION ZERO

Zero fatalities. Zero excuses.

## US 52 ATR Sites:

- Foxholm all lanes, RP 78.26 = >85<sup>th</sup> percentile speed 72.0 mph
- Foxholm all lanes, RP 78.26 = >50<sup>th</sup> percentile speed 67.4 mph
- Sawyer all lanes, RP 102.7136 = >85<sup>th</sup> percentile speed 72.8 mph
- Sawyer all lanes, RP 102.7136 = >50<sup>th</sup> percentile speed 67.8 mph
- Jamestown all lanes, RP 259.5408 = >85<sup>th</sup> percentile speed 77.6 mph
- Jamestown all lanes, RP 259.5408 = >50<sup>th</sup> percentile speed 71.8 mph

## US 83 ATR Sites:

- Hague all lanes, RP 1.1144 = >85<sup>th</sup> percentile speed 72.2 mph
- Hague all lanes, RP 1.1144 = >50<sup>th</sup> percentile speed 67.5 mph

## US 85 ATR Sites:

- Fairfield all lanes, RP 80.885 = >85<sup>th</sup> percentile speed 72.4 mph
- Fairfield all lanes, RP 80.885 = >50<sup>th</sup> percentile speed 67.7 mph
- Grassy Butte all lanes, RP 113.85 = >85<sup>th</sup> percentile speed 71.4 mph
- Grassy Butte all lanes, RP 113.85 = >50<sup>th</sup> percentile speed 67.1 mph
- Alexander all lanes, RP 162.208 = >85<sup>th</sup> percentile speed 73.5 mph
- Alexander all lanes, RP 162.208 = >50<sup>th</sup> percentile speed 68.5 mph

## US 281 ATR Sites:

- Carrington all lanes, RP 117.9013 = >85<sup>th</sup> percentile speed 71.6 mph
- Carrington all lanes, RP 117.9013 = >50<sup>th</sup> percentile speed 67.1 mph
- Sheyenne all lanes, RP 141.48 = >85<sup>th</sup> percentile speed 73.1 mph
- Sheyenne all lanes, RP 141.48 = >50<sup>th</sup> percentile speed 67.4 mph

## ND 22 ATR Sites:

- Manning all lanes, RP 81.5055 = >85<sup>th</sup> percentile speed 71.3 mph
- Manning all lanes, RP 81.5055 = >50<sup>th</sup> percentile speed 67.2 mph
- Killdeer all lanes, RP 112.1350 = >85<sup>th</sup> percentile speed 70.0 mph
- Killdeer all lanes, RP 112.1350 = >50<sup>th</sup> percentile speed 66.1 mph

## WIM Sites - 85% Speed

- Sykeston – Hwy 52, RP 212 @ .3 71 mph
- Devils Lake – Hwy 2, RP 263 @ .4 77 mph
- Wahpeton – I-29, RP 10 @ .1 83 mph
- Ellendale – Hwy 281, RP 1 @ .9 73 mph
- Washburn – Hwy 83, RP 120 @ .6 78 mph
- Langdon – Hwy 5, RP 299 @ .9 72 mph

## Testimony on SB 2168

Thank you Chairman Ruby and members of the House Transportation Committee.

For the record, my name is Dean Rummel, Senator from District 37 out of Dickinson.

I believe we all can agree that everyone would want our roadways safer with no fatalities. This bill has the potential to save lives.

This bill simply doubles the fines for those individuals who exceed the posted speed limit by 21 mph or more. So on Interstate 94 if you see someone go by you at 96 mph and they are stopped by the ND Highway Patrol, the fine will go up from \$105 to \$210. This does not affect the speeding fines at 20 mph or below over the posted speed limit. For your information, those speeding fines at 20 mph or below have not changed for the 55 mph speed zone since 1983, the 60-65 mph speed zone since 1985, and the 70 mph and greater speed zones have not changed since 2003.

There were 377,310 speed and careless driving related citations issued from 2017 to 2021. 20,921 of those citations were for 20 mph over the posted speed limit. That averages out to 4,184 citations per year for that 5-



year time period. This bill would double the fines for those citations.

We need to financially encourage those individuals who drive 21 mph over the posted speed limit to slow down and save lives. Speeding and or aggressive driving has been a factor in 34% of fatal crashes in North Dakota in 2021.

By your do pass vote of Senate Bill 2168, it will send a clear message of support for the ND Strategic Highway Safety Plan's VISION ZERO, zero fatalities, zero excuses.

I will attempt to answer any questions that you might have. But with us is Sgt. Wade Kadrmas, the Chair for the Vision Zero Speeding/Aggressive Driving Priority Emphasis Area Team with the ND Highway Patrol. He is an expert and can provide you with the best answers to any of your questions.



**Senate Bill No. 2168**  
**House Transportation Committee**  
Room 327E | March 3, 2023, 9 a.m.  
Karin Mongeon, Highway Safety

Good morning, Chairman Ruby and members of the committee. My name is Karin Mongeon and I am the Highway Safety Division Director for the North Dakota Department of Transportation (NDDOT). I am here this morning to speak in favor of SB 2168.

Speeding endangers everyone on the road. It greatly reduces the driver's ability to slow a vehicle when necessary or to steer safely around an unexpected curve, or another vehicle or hazardous object in the road. Most motorists rarely drive aggressively, and some never do. For others, episodes of speeding/aggressive driving are frequent, and for a small proportion of motorists it is their typical driving behavior.

There is a direct correlation between collision speed and the *severity* of a crash. The higher the collision speed, the more serious the consequences in terms of injury and material damage.

In addition, the human body is physically very vulnerable in comparison to the enormous forces released in a collision. During the past decades, vehicles have become better equipped (crush areas, airbags and seatbelts) to absorb the energy released in a crash, thus protecting the occupants. However, the collision speed is still very important to the crash outcome. *(Source: Institute for Road Safety Research)*

In 2021, a speed/aggressive driving-involved crash occurred in North Dakota every 2.5 hours, on average. Reducing speed/aggressive driving crashes presents a significant opportunity to reduce total fatality and serious injury crashes.

This concludes my testimony. I am happy to respond to any questions you may have.



Trooper Jacob Jones  
North Dakota Highway Patrol  
Crash Reconstruction Team

### KINETIC ENERGY W/ SPEED AND WEIGHT

Find a Kinetic Energy with Speed and Weight or Speed and Mass.

**CASE NUMBER:** Kinetic Energy of 5,000 lb vehicle

3/2/2023

$$KE = \frac{W \times S^2}{30}$$

$$KE = \frac{5000.00 \times 25.00^2}{30}$$

$$KE = \frac{5000.00 \times 625.00}{30}$$

$$KE = \frac{3125000.00}{30}$$

KE = 104166.66

KE = The Kinetic Energy in ft-lbs or Joules.  
W = The Weight in pounds.  
S = The Speed in mph/kph.  
30 = A Constant.

**Formula Inputs:**

**Formula Results:**

The Weight in pounds is: 5000.00  
The Speed in mph is: 25.00

The Kinetic Energy (ft-lb or Joules) is: 104166.66

**Incrementation Results**

<u>Speed</u>	<u>K Energy</u>	<u>Speed</u>	<u>K Energy</u>	<u>Speed</u>	<u>K Energy</u>
25.00	104166.66	46.00	352666.66		

248,500 ft lbs more energy.  
@ 21 mph over

## KINETIC ENERGY W/ SPEED AND WEIGHT

Find a Kinetic Energy with Speed and Weight or Speed and Mass.

**CASE NUMBER:** Kinetic Energy of 5,000 lb vehicle

3/2/2023

$$KE = \frac{W \times S^2}{30}$$

$$KE = \frac{5000.00 \times 65.00^2}{30}$$

$$KE = \frac{5000.00 \times 4225.00}{30}$$

$$KE = \frac{21125000.00}{30}$$

*KE = The Kinetic Energy in ft-lbs or Joules.  
 W = The Weight in pounds.  
 S = The Speed in mph/kph.  
 30 = A Constant.*

$$KE = 704166.66$$

### Formula Inputs:

The Weight in pounds is:

5000.00

The Speed in mph is:

65.00

### Formula Results:

The Kinetic Energy (ft-lb or Joules) is: 704166.66

### Incrementation Results

<u>Speed</u>	<u>K Energy</u>
65.00	704166.66

<u>Speed</u>	<u>K Energy</u>
86.00	1232666.66

<u>Speed</u>	<u>K Energy</u>
--------------	-----------------

528,500 ft lbs more energy.

@ 21 mph over

## KINETIC ENERGY W/ SPEED AND WEIGHT

Find a Kinetic Energy with Speed and Weight or Speed and Mass.

**CASE NUMBER:** Kinetic Energy of 5,000 lb vehicle

3/2/2023

$$KE = \frac{W \times S^2}{30}$$

$$KE = \frac{5000.00 \times 25.00^2}{30}$$

$$KE = \frac{5000.00 \times 625.00}{30}$$

$$KE = \frac{3125000.00}{30}$$

*KE = The Kinetic Energy in ft-lbs or Joules.  
W = The Weight in pounds.  
S = The Speed in mph/kph.  
30 = A Constant.*

$KE = 104166.66$

**Formula Inputs:**

**Formula Results:**

The Weight in pounds is: 5000.00  
The Speed in mph is: 25.00

The Kinetic Energy (ft-lb or Joules) is: 104166.66

**Incrementation Results**

<u>Speed</u>	<u>K Energy</u>	<u>Speed</u>	<u>K Energy</u>	<u>Speed</u>	<u>K Energy</u>
25.00	104166.66 (45833)	60.00	600000.00	95.00	1504166.66
30.00	150000.00	65.00	704166.66	100.00	1666666.66
35.00	204166.66	70.00	816666.66	105.00	1837500.00
40.00	266666.66	75.00	937500.00	110.00	2016666.66
45.00	337500.00	80.00	1066666.66	115.00	2204166.66
50.00	416666.66 (87500)	85.00	1204166.66	120.00	2400000.00
55.00	504166.66	90.00	1350000.00		



68<sup>th</sup> Legislative Assembly

Testimony in **Support of**

**Senate Bill 2168**

**House Transportation Committee**

March 3, 2023

TESTIMONY OF

**Trooper Jacob Jones**

Good morning, Chairman Ruby and members of the House Transportation Committee. My name is Jacob Jones, and I am a trooper with the North Dakota Highway Patrol where I have been employed since 2011. My primary duties as a trooper have been traffic enforcement and crash reconstruction. I am here today on behalf of the North Dakota Highway Patrol in support of Senate Bill 2168, regarding the increase in penalties for those violating our state's speeding statutes by 21 or more miles per hour over the posted limit.

As a crash reconstruction analyst, I have the facts and evidence of someone being seriously injured or killed in a crash laid out before me well after the fact. I can sort through the evidence and generally determine vehicle speeds; drivers' actions and reactions; and possibly how the crash could have been avoided or not avoided. The circumstances causing a crash play out in mere seconds or fractions of a second. Poor decisions may have been made well before that but when a hazard presents itself, drivers are forced to make split second decisions.

When presented with a hazard there are several steps to avoiding the hazard:

- you have to see the hazard;
- you have to understand that it is a hazard;
- you have to make a decision on how to avoid the hazard; and
- you have to make a physical movement such as moving your foot to the brake and pressing it

All other distractions aside, that is a lot to figure out in short time. Usually, our brains can sort through all this information in about 1 to 2 seconds from first seeing a hazard to slamming on the brakes and getting pitched forward in your seat. The relationship between speed and stopping distance is not linear, it is exponential. This means that the faster you go, the more distance is required to perceive, react, and avoid a hazard; not to mention the increased distance required to physically stop the vehicle. In other words, for each mile per hour you go faster, the rate that must be paid in stopping distance increases.

I provided an attachment to my written testimony showing an example of a vehicle going 21 mph over a 65-mph speed limit. This example involves a bit of math, acceleration rates, deceleration rates, and human reaction time etc. Without taking too much time and going too far in depth, the point of the example is this: if a driver pulls out in front of an approaching vehicle that is traveling at the 65-mph speed limit, no crash occurs. However, if the same driver pulls out in front of a vehicle going 21 mph over the posted speed limit at the assumed space of five seconds away, the speeding vehicle strikes the other vehicle at 46 mph after the driver reacts and tries braking to

avoid it. The 21 mph over the posted speed limit by the driver caused this situation to go from a non-event to a likely fatal crash.

The faster a vehicle travels, the more energy it possesses. The more energy a vehicle possesses the more severe the damage and injuries to the vehicles and people involved in the collision. We look at energy units as foot-pounds of energy. All of us can agree that firearms can cause severe injury. A bullet fired from a 9mm handgun possess about 400 foot-pounds of energy when it leaves the barrel of the gun. A 5,000 lb. vehicle traveling only 5 mph possesses 10 times as much energy as that small bullet. At 25 mph that same vehicle possesses over 100,000 foot-pounds of energy. We are all literally driving bullets around when you consider the energy involved. No doubt that auto manufacturers and safety experts are saving lives with advances in automated safety systems in vehicles. As speed increases the energy increases exponentially. When a driver chooses to drive 21 mph over the speed limit the energy increases significantly. If a driver goes 21 mph over a 25-mph speed limit, they more than double their kinetic energy which means the severity of the crash more than doubles. I have attached some sheets that detail the levels of kinetic energy at different travel speeds.

Does this high rate of excessive speed happen often? In 2022, the ND Highway Patrol issued 29,644 speed-related citations which includes the speed brackets and within construction and school zones. Approximately 92% of those citations were for motorists speeding 20 mph or less over the posted speed limit. The fine increase proposed by SB 2168 would affect only the remaining 8%.

### **2022 Statistics**

- 21-25 mph over posted: 1,494 citations (about 5%) 5 points (defensive driving in lieu of points available)
- 26-35 mph over posted: 738 citations (about 2.4%) 9 points
- 36-45 mph over posted: 125 citations (about 0.4%) 12 points
- 46+ mph over posted: 19 citations (about 0.06%) 15 points

**Total of 2,376 citations**

### **2022 Statistics:**

#### **21+ by Speed Zone (percentage of the 2,376 citations above for going 21+ over limit)**

- 70 mph + zone: 25%
- Greater than 55 mph but less than 70 mph: 25%
- 55 mph and less zone: 50%

### **Feb. 2023 (through 2/27)**

- 21-25 mph and over: 73 citations
- 26-35 mph over: 52 citations
- 36-45 mph over: 5 citations
- 46+ mph over: 1 citation

I want to be clear that speeding over the posted limit at any rate is dangerous and deprives not only the driver, but other motorists of the time and distance required to avoid a crash. I believe that drivers who chose to drive 21+ mph over the scientifically determined speed limit are driving at an

egregious level that is dangerous. Passage of this bill would be a great step in holding that small percentage of violators accountable for their irresponsible choices and hopefully add a level of deterrence to enhance safety to our roadways. This concludes my testimony, and I would be happy to answer any questions.



**Current Fee Schedules**

FLUCTUATING DETERRENT										
Speed Zones	25	35	45	50	55	60	65	70	75	80
Speeds										
55 mph	\$ 55	\$ 25	\$ 10	\$ 5	N/A	N/A	N/A	N/A	N/A	N/A
65 mph	\$ 85	\$ 55	\$ 25	\$ 15	\$ 10	\$ 10	N/A	N/A	N/A	N/A
70 mph	\$ 100	\$ 70	\$ 40	\$ 25	\$ 15	\$ 20	\$ 10	N/A	N/A	N/A
80 mph	\$ 150	\$ 100	\$ 70	\$ 55	\$ 40	\$ 70	\$ 45	\$ 50	\$ 25	N/A
90 mph	\$ 200	\$ 150	\$ 100	\$ 85	\$ 70	\$ 120	\$ 95	\$ 100	\$ 75	\$ 50
100 mph	\$ 250	\$ 200	\$ 150	\$ 125	\$ 100	\$ 170	\$ 145	\$ 150	\$ 125	\$ 100

**SB 2168**

FLUCTUATING DETERRENT A										
Speed Zones	39-06.1-06 (4)				39-06.1-06 (5)			39-06.1-06 (7)		
	25	35	45	50	55	60	65	70	75	80
Speeds	+ 100% at 21 + mph over						+ 100% at 16 + mph over			
55 mph	\$ 110	\$ 25	\$ 10	\$ 5	N/A	N/A	N/A	N/A	N/A	N/A
65 mph	\$ 170	\$ 110	\$ 25	\$ 15	\$ 10	\$ 10	N/A	N/A	N/A	N/A
70 mph	\$ 200	\$ 140	\$ 80	\$ 25	\$ 15	\$ 20	\$ 10	N/A	N/A	N/A
80 mph	\$ 300	\$ 200	\$ 140	\$ 110	\$ 80	\$ 70	\$ 45	\$ 50	\$ 25	N/A
90 mph	\$ 400	\$ 300	\$ 200	\$ 170	\$ 140	\$ 240	\$ 190	\$ 200	\$ 75	\$ 50
100 mph	\$ 500	\$ 400	\$ 300	\$ 250	\$ 200	\$ 340	\$ 290	\$ 300	\$ 250	\$ 200

**Two Fee Schedules**

Less than 55 mph zones  
55 mph and greater zones

FLUCTUATING DETERRENT A.1										
Speed Zones	39-06.1-06 (5)				39-06.1-06 (7)					
	25	35	45	50	55	60	65	70	75	80
Speeds	+ 100% at 21 + mph over				+ 100% at 16 + mph over					
55 mph	\$ 240	\$ 70	\$ 20	\$ 10	N/A	N/A	N/A	N/A	N/A	N/A
65 mph	\$ 340	\$ 240	\$ 70	\$ 45	\$ 50	\$ 25	N/A	N/A	N/A	N/A
70 mph	\$ 390	\$ 290	\$ 190	\$ 70	\$ 75	\$ 50	\$ 25	N/A	N/A	N/A
80 mph	\$ 490	\$ 390	\$ 290	\$ 240	\$ 250	\$ 200	\$ 75	\$ 50	\$ 25	N/A
90 mph	\$ 590	\$ 490	\$ 390	\$ 340	\$ 350	\$ 300	\$ 250	\$ 200	\$ 75	\$ 50
100 mph	\$ 690	\$ 590	\$ 490	\$ 440	\$ 450	\$ 400	\$ 350	\$ 300	\$ 250	\$ 200

FLUCTUATING DETERRENT B										
Speed Zones	39-06.1-06 (5)				39-06.1-06 (7)					
	25	35	45	50	55	60	65	70	75	80
Speeds	+ \$100 at 21 + mph over				+ \$100 at 16 + mph over					
55 mph	\$ 220	\$ 70	\$ 20	\$ 10	N/A	N/A	N/A	N/A	N/A	N/A
65 mph	\$ 270	\$ 220	\$ 70	\$ 45	\$ 50	\$ 25	N/A	N/A	N/A	N/A
70 mph	\$ 295	\$ 245	\$ 195	\$ 70	\$ 75	\$ 50	\$ 25	N/A	N/A	N/A
80 mph	\$ 345	\$ 295	\$ 245	\$ 220	\$ 225	\$ 200	\$ 75	\$ 50	\$ 25	N/A
90 mph	\$ 395	\$ 345	\$ 295	\$ 270	\$ 275	\$ 250	\$ 225	\$ 200	\$ 75	\$ 50
100 mph	\$ 445	\$ 395	\$ 345	\$ 320	\$ 325	\$ 300	\$ 275	\$ 250	\$ 225	\$ 200

**Senate Bill 2168**  
**Fee Schedule**  
**Proposals**

**Proposal A**

- Increase fines 100% at 21 + mph over posted speed Limit 39-06.1-06 (4), (5), (8), and (9).
- Increase fines 100 % at 16 + mph over posted speed Limit 39-06.1-06 (7).
- Stays with intent of initial bill.
- Several fluctuating deterrents with the greatest difference being a decrease of \$140 when going 100 mph in a 60 mph (\$340) and 55 mph (\$200) zone.
- Decrease in fines at speeds of 80 to 95 mph on the interstate.
- Pull speeding fines under 39-09-02 out from SB 2169 and add studies onto the bill.

**Proposal A.1**

- Remove 39-06.1-06 (4).
- Change 39-06.1-06 (5) to cover roads less than 55 mph and increase fines 100% at 21 + mph over posted speed limit 39-06.1-06 (4), (5), (8), and (9).
- Increase fines 100% at 16 + mph over posted speed limit 39-06.1-06 (7) and to cover roads of 55 mph and greater.
- Still some fluctuating deterrents with a difference of \$10 being the most. These differences occur when license would be suspended.
- Decrease in fines at speeds of 80 to 95 mph on the interstate.
- Decrease in fines at 1-2 mph over in 25 – 50 mph zones.
- 57.7 % of severe injury crashes are in zones of 55 mph and greater.
- 42.3 % of severe injury crashes are in zones of less than 55 mph.
- Hog house SB 2169 for studies

**Proposal B**

- Remove 39-06.1-06 (4).
- Change 39-06.1-06 (5) to cover roads less than 55 mph and increase fines \$100 at 21 + mph over posted speed limit 39-06.1-06 (5), (8), and (9)
- Increase fines \$100 at 16 + mph over posted speed Limit 39-06.1-06 (7) and change to cover roads of 55 mph and greater.
- Decrease in initial bill proposal and move to two fee schedules.
- Still some fluctuating deterrents with a difference of \$5 being the most. These differences occur when license would be suspended.
- Decrease in fines at speeds of 80 to 95 mph on the interstate.
- Decrease in fines at 1-2 mph over in 25 – 50 mph zones.
- 57.7 % of severe injury crashes are in zones of 55 mph and greater.
- 42.3 % of severe injury crashes are in zones of less than 55 mph.
- Hog house SB 2169 for studies

**North Dakota Speed Zone  
Fee Schedules**

Speed Limit Zones	25 mph zone	35 mph zone	45 mph zone	50 mph zone	55 mph zone	60 mph zone	65 mph zone	70 mph zone	75 mph zone	80 mph zone
MPH Over	Fine	Fine	Fine	Fine	Fine	Fine	Fine	Fine	Fine	Fine
5 mph	\$ 5	\$ 5	\$ 5	\$ 5	\$ 5	\$ 10	\$ 10	\$ 25	\$ 25	\$ 25
10 mph	\$ 10	\$ 10	\$ 10	\$ 10	\$ 10	\$ 20	\$ 20	\$ 50	\$ 50	\$ 50
15 mph	\$ 15	\$ 15	\$ 15	\$ 15	\$ 15	\$ 45	\$ 45	\$ 75	\$ 75	\$ 75
16 mph	\$ 17	\$ 17	\$ 17	\$ 17	\$ 17	\$ 50	\$ 50	\$ 80	\$ 80	\$ 80
20 mph	\$ 25	\$ 25	\$ 25	\$ 25	\$ 25	\$ 70	\$ 70	\$ 100	\$ 100	\$ 100
21 mph	\$ 28	\$ 28	\$ 28	\$ 28	\$ 28	\$ 75	\$ 75	\$ 105	\$ 105	\$ 105
30 mph	\$ 55	\$ 55	\$ 55	\$ 55	\$ 55	\$ 120	\$ 120	\$ 150	\$ 150	\$ 150
40 mph	\$ 85	\$ 85	\$ 85	\$ 85	\$ 85	\$ 170	\$ 170	\$ 200	\$ 200	\$ 200
50 mph	\$ 125	\$ 125	\$ 125	\$ 125	\$ 125	\$ 220	\$ 220	\$ 250	\$ 250	\$ 250

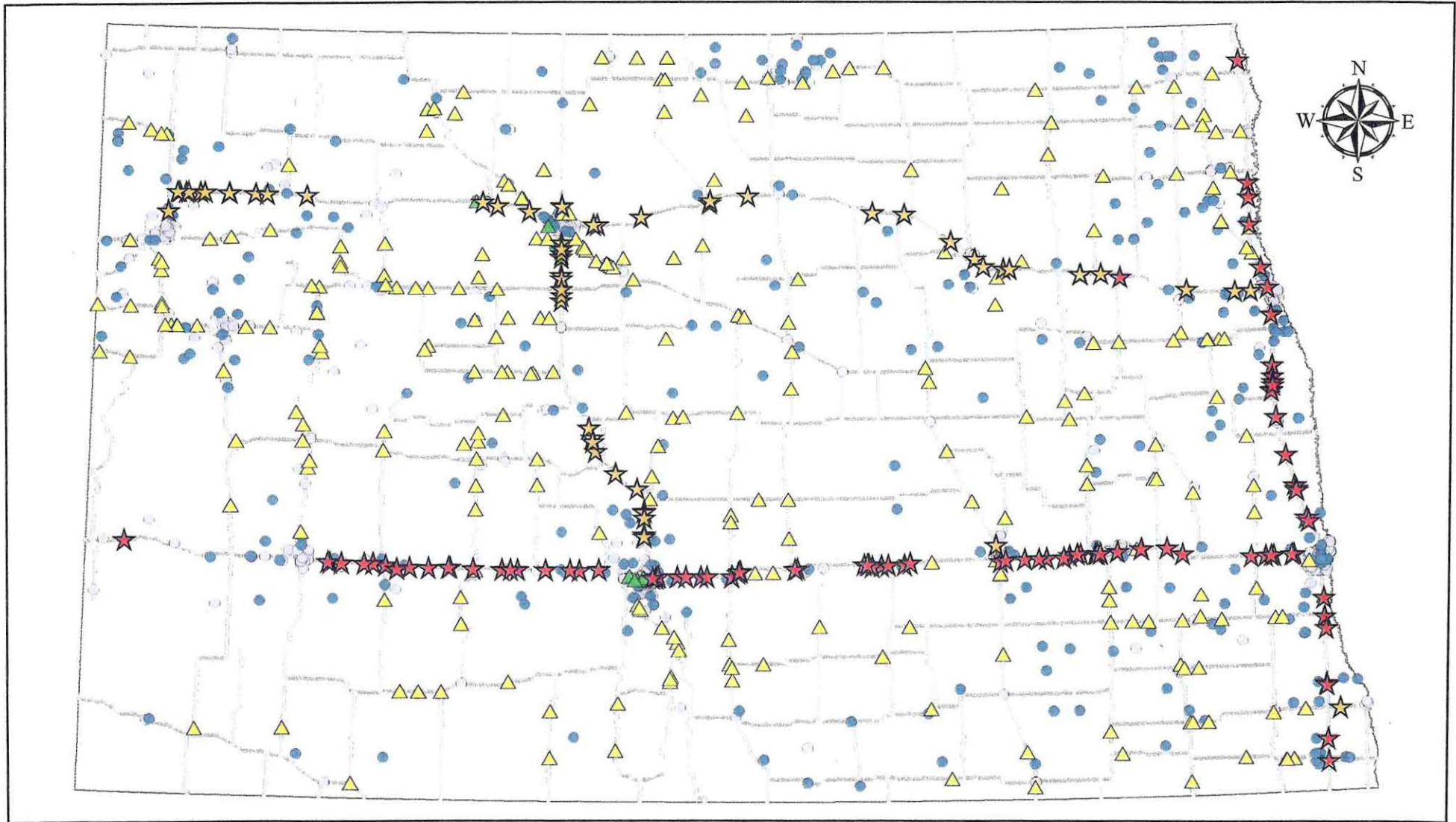
**SB 2168  
Proposal B**

Speed Limit Zones	25 mph zone	35 mph zone	45 mph zone	50 mph zone	55 mph zone	60 mph zone	65 mph zone	70 mph zone	75 mph zone	80 mph zone
MPH Over	Fine	Fine	Fine	Fine	Fine	Fine	Fine	Fine	Fine	Fine
5 mph	\$ 10	\$ 10	\$ 10	\$ 10	\$ 25	\$ 25	\$ 25	\$ 25	\$ 25	\$ 25
10 mph	\$ 20	\$ 20	\$ 20	\$ 20	\$ 50	\$ 50	\$ 50	\$ 50	\$ 50	\$ 50
15 mph	\$ 45	\$ 45	\$ 45	\$ 45	\$ 75	\$ 75	\$ 75	\$ 75	\$ 75	\$ 75
16 mph	\$ 50	\$ 50	\$ 50	\$ 50	\$ 180	\$ 180	\$ 180	\$ 180	\$ 180	\$ 180
20 mph	\$ 70	\$ 70	\$ 70	\$ 70	\$ 200	\$ 200	\$ 200	\$ 200	\$ 200	\$ 200
21 mph	\$ 175	\$ 175	\$ 175	\$ 175	\$ 205	\$ 205	\$ 205	\$ 205	\$ 205	\$ 205
30 mph	\$ 220	\$ 220	\$ 220	\$ 220	\$ 250	\$ 250	\$ 250	\$ 250	\$ 250	\$ 250
40 mph	\$ 270	\$ 270	\$ 270	\$ 270	\$ 300	\$ 300	\$ 300	\$ 300	\$ 300	\$ 300
50 mph	\$ 320	\$ 320	\$ 320	\$ 320	\$ 350	\$ 350	\$ 350	\$ 350	\$ 350	\$ 350

**FLUCTUATING DETERRENT B**

	39-06.1-06 (5)				39-06.1-06 (7)					
Speed Zones	25	35	45	50	55	60	65	70	75	80
Speeds	+ \$100 at 21 + mph over				+ \$100 at 16 + mph over					
55 mph	\$ 220	\$ 70	\$ 20	\$ 10	N/A	N/A	N/A	N/A	N/A	N/A
65 mph	\$ 270	\$ 220	\$ 70	\$ 45	\$ 50	\$ 25	N/A	N/A	N/A	N/A
70 mph	\$ 295	\$ 245	\$ 195	\$ 70	\$ 75	\$ 50	\$ 25	N/A	N/A	N/A
80 mph	\$ 345	\$ 295	\$ 245	\$ 220	\$ 225	\$ 200	\$ 75	\$ 50	\$ 25	N/A
90 mph	\$ 395	\$ 345	\$ 295	\$ 270	\$ 275	\$ 250	\$ 225	\$ 200	\$ 75	\$ 50
100 mph	\$ 445	\$ 395	\$ 345	\$ 320	\$ 325	\$ 300	\$ 275	\$ 250	\$ 225	\$ 200

# Severe Crashes by Speed Limit



3yr Time Period = 1/1/2020 - 12/31/2022\* \*preliminary data  
Severe Crashes = crash severity of Fatal or Incapacitating Injury.

Severe Crashes by Posted Speed Limit					
★	☆	▲	▲	●	●
75mph	70mph	65mph	60mph	55mph	<55mph
100	63	277	7	307	552
7.7%	4.8%	21.2%	0.5%	23.5%	42.3%

PREPARED BY THE  
North Dakota Department of Transportation  
Programming Division  
Traffic Operations Section  
January 2023

57.7%

# **SB 2168 Proposal A**

## North Dakota Speeding Fines Fee Schedules

- **39-06.1-06 (4)**

Except as provided in subsections 5 and 7, for a violation of section 39-09-02, or an equivalent ordinance, a fee established as follows:

Miles per hour over lawful speed limit	Fee
1 - 5	\$ 5
6 - 10	\$ 5 plus \$1/each mph over 5 mph over limit
11 - 15	\$ 10 plus \$1/each mph over 10 mph over limit
16 - 20	\$ 15 plus \$2/each mph over 15 mph over limit
21 - 25	\$ 25 plus \$3/each mph over 20 mph over limit
26 - 35	\$ 40 plus \$3/each mph over 25 mph over limit
36 - 45	\$ 70 plus \$3/each mph over 35 mph over limit
46 +	\$100 plus \$5/each mph over 45 mph over limit

- **39-06.1-06 (5)**

On a highway on which the speed limit is a speed higher than fifty-five miles [88.51 kilometers] an hour, for a violation of section 39-09-02, or an equivalent ordinance, a fee established as follows:

Miles per hour over lawful speed limit	Fee
1 - 10	\$2/each mph over limit
11 +	\$20 plus \$5/each mph over 10 mph over limit

- **39-06.1-06 (7)**

On a highway on which the speed limit is posted in excess of sixty-five miles [104.61 kilometers] an hour, for a violation of section 39-09-02, or equivalent ordinance, a fee of five dollars for each mile per hour over the limit.

- **39-06.1-06 (8)**

For a violation of a school zone speed limit under subdivision b of subsection 1 of section 39-09-02, a fee of forty dollars for one through ten miles per hour over the posted speed; and forty dollars, plus one dollar for each additional mile per hour over ten miles per hour over the limit unless a greater fee would be applicable under this section.

- **39-06.1-06 (9)**

For a violation of a highway construction zone speed limit under subsection 2 of section 39-09-02, a fee of eighty dollars for one through ten miles per hour over the posted speed; and eighty dollars plus two dollars for each mile per hour over ten miles per hour over the limit, unless a greater fee would be applicable under this section. The fee in this subsection does not apply to a highway construction zone unless individuals engaged in construction are present at the time and place of the violation and the posted speed limit sign states "Minimum Fee \$80".

**North Dakota Speed Zone  
Fee Schedules**

Speed Limit Zones	25 mph zone	35 mph zone	45 mph zone	50 mph zone	55 mph zone	60 mph zone	65 mph zone	70 mph zone	75 mph zone	80 mph zone	School zone with children	Construction zone with workers
MPH Over	Fine	Fine	Fine	Fine	Fine	Fine	Fine	Fine	Fine	Fine	Fine	Fine
1 mph	\$ 5	\$ 5	\$ 5	\$ 5	\$ 5	\$ 2	\$ 2	\$ 5	\$ 5	\$ 5	\$ 40	\$ 80
2 mph	\$ 5	\$ 5	\$ 5	\$ 5	\$ 5	\$ 4	\$ 4	\$ 10	\$ 10	\$ 10	\$ 40	\$ 80
3 mph	\$ 5	\$ 5	\$ 5	\$ 5	\$ 5	\$ 6	\$ 6	\$ 15	\$ 15	\$ 15	\$ 40	\$ 80
4 mph	\$ 5	\$ 5	\$ 5	\$ 5	\$ 5	\$ 8	\$ 8	\$ 20	\$ 20	\$ 20	\$ 40	\$ 80
5 mph	\$ 5	\$ 5	\$ 5	\$ 5	\$ 5	\$ 10	\$ 10	\$ 25	\$ 25	\$ 25	\$ 40	\$ 80
6 mph	\$ 6	\$ 6	\$ 6	\$ 6	\$ 6	\$ 12	\$ 12	\$ 30	\$ 30	\$ 30	\$ 40	\$ 80
7 mph	\$ 7	\$ 7	\$ 7	\$ 7	\$ 7	\$ 14	\$ 14	\$ 35	\$ 35	\$ 35	\$ 40	\$ 80
8 mph	\$ 8	\$ 8	\$ 8	\$ 8	\$ 8	\$ 16	\$ 16	\$ 40	\$ 40	\$ 40	\$ 40	\$ 80
9 mph	\$ 9	\$ 9	\$ 9	\$ 9	\$ 9	\$ 18	\$ 18	\$ 45	\$ 45	\$ 45	\$ 40	\$ 80
10 mph	\$ 10	\$ 10	\$ 10	\$ 10	\$ 10	\$ 20	\$ 20	\$ 50	\$ 50	\$ 50	\$ 40	\$ 80
11 mph	\$ 11	\$ 11	\$ 11	\$ 11	\$ 11	\$ 25	\$ 25	\$ 55	\$ 55	\$ 55	\$ 41	\$ 82
12 mph	\$ 12	\$ 12	\$ 12	\$ 12	\$ 12	\$ 30	\$ 30	\$ 60	\$ 60	\$ 60	\$ 42	\$ 84
13 mph	\$ 13	\$ 13	\$ 13	\$ 13	\$ 13	\$ 35	\$ 35	\$ 65	\$ 65	\$ 65	\$ 43	\$ 86
14 mph	\$ 14	\$ 14	\$ 14	\$ 14	\$ 14	\$ 40	\$ 40	\$ 70	\$ 70	\$ 70	\$ 44	\$ 88
15 mph	\$ 15	\$ 15	\$ 15	\$ 15	\$ 15	\$ 45	\$ 45	\$ 75	\$ 75	\$ 75	\$ 45	\$ 90
16 mph	\$ 17	\$ 17	\$ 17	\$ 17	\$ 17	\$ 50	\$ 50	\$ 80	\$ 80	\$ 80	\$ 46	\$ 92
17 mph	\$ 19	\$ 19	\$ 19	\$ 55	\$ 19	\$ 55	\$ 55	\$ 85	\$ 85	\$ 85	\$ 47	\$ 94
18 mph	\$ 21	\$ 21	\$ 21	\$ 60	\$ 21	\$ 60	\$ 60	\$ 90	\$ 90	\$ 90	\$ 48	\$ 96
19 mph	\$ 23	\$ 23	\$ 23	\$ 65	\$ 23	\$ 65	\$ 65	\$ 95	\$ 95	\$ 95	\$ 49	\$ 98
20 mph	\$ 25	\$ 25	\$ 25	\$ 25	\$ 25	\$ 70	\$ 70	\$ 100	\$ 100	\$ 100	\$ 50	\$ 100
21 mph	\$ 28	\$ 28	\$ 28	\$ 28	\$ 28	\$ 75	\$ 75	\$ 105	\$ 105	\$ 105	\$ 51	\$ 102
22 mph	\$ 31	\$ 31	\$ 31	\$ 31	\$ 31	\$ 80	\$ 80	\$ 110	\$ 110	\$ 110	\$ 52	\$ 104
23 mph	\$ 34	\$ 34	\$ 34	\$ 34	\$ 34	\$ 85	\$ 85	\$ 115	\$ 115	\$ 115	\$ 53	\$ 106
24 mph	\$ 37	\$ 37	\$ 37	\$ 37	\$ 37	\$ 90	\$ 90	\$ 120	\$ 120	\$ 120	\$ 54	\$ 108
25 mph	\$ 40	\$ 40	\$ 40	\$ 40	\$ 40	\$ 95	\$ 95	\$ 125	\$ 125	\$ 125	\$ 55	\$ 110
26 mph	\$ 43	\$ 43	\$ 43	\$ 43	\$ 43	\$ 100	\$ 100	\$ 130	\$ 130	\$ 130	\$ 56	\$ 112
27 mph	\$ 46	\$ 46	\$ 46	\$ 46	\$ 46	\$ 105	\$ 105	\$ 135	\$ 135	\$ 135	\$ 57	\$ 114
28 mph	\$ 49	\$ 49	\$ 49	\$ 49	\$ 49	\$ 110	\$ 110	\$ 140	\$ 140	\$ 140	\$ 58	\$ 116
29 mph	\$ 52	\$ 52	\$ 52	\$ 52	\$ 52	\$ 115	\$ 115	\$ 145	\$ 145	\$ 145	\$ 59	\$ 118
30 mph	\$ 55	\$ 55	\$ 55	\$ 55	\$ 55	\$ 120	\$ 120	\$ 150	\$ 150	\$ 150	\$ 60	\$ 120
31 mph	\$ 58	\$ 58	\$ 58	\$ 58	\$ 58	\$ 125	\$ 125	\$ 155	\$ 155	\$ 155	\$ 61	\$ 122
32 mph	\$ 61	\$ 61	\$ 61	\$ 61	\$ 61	\$ 130	\$ 130	\$ 160	\$ 160	\$ 160	\$ 62	\$ 124
33 mph	\$ 64	\$ 64	\$ 64	\$ 64	\$ 64	\$ 135	\$ 135	\$ 165	\$ 165	\$ 165	\$ 63	\$ 126
34 mph	\$ 67	\$ 67	\$ 67	\$ 67	\$ 67	\$ 140	\$ 140	\$ 170	\$ 170	\$ 170	\$ 64	\$ 128
35 mph	\$ 70	\$ 70	\$ 70	\$ 70	\$ 70	\$ 145	\$ 145	\$ 175	\$ 175	\$ 175	\$ 65	\$ 130
36 mph	\$ 73	\$ 73	\$ 73	\$ 73	\$ 73	\$ 150	\$ 150	\$ 180	\$ 180	\$ 180	\$ 66	\$ 132
37 mph	\$ 76	\$ 76	\$ 76	\$ 76	\$ 76	\$ 155	\$ 155	\$ 185	\$ 185	\$ 185	\$ 67	\$ 134
38 mph	\$ 79	\$ 79	\$ 79	\$ 79	\$ 79	\$ 160	\$ 160	\$ 190	\$ 190	\$ 190	\$ 68	\$ 136
39 mph	\$ 82	\$ 82	\$ 82	\$ 82	\$ 82	\$ 165	\$ 165	\$ 195	\$ 195	\$ 195	\$ 69	\$ 138
40 mph	\$ 85	\$ 85	\$ 85	\$ 85	\$ 85	\$ 170	\$ 170	\$ 200	\$ 200	\$ 200	\$ 70	\$ 140
41 mph	\$ 88	\$ 88	\$ 88	\$ 88	\$ 88	\$ 175	\$ 175	\$ 205	\$ 205	\$ 205	\$ 71	\$ 142
42 mph	\$ 91	\$ 91	\$ 91	\$ 91	\$ 91	\$ 180	\$ 180	\$ 210	\$ 210	\$ 210	\$ 72	\$ 144
43 mph	\$ 94	\$ 94	\$ 94	\$ 94	\$ 94	\$ 185	\$ 185	\$ 215	\$ 215	\$ 215	\$ 73	\$ 146
44 mph	\$ 97	\$ 97	\$ 97	\$ 97	\$ 97	\$ 190	\$ 190	\$ 220	\$ 220	\$ 220	\$ 74	\$ 148
45 mph	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100	\$ 195	\$ 195	\$ 225	\$ 225	\$ 225	\$ 75	\$ 150
46 mph	\$ 105	\$ 105	\$ 105	\$ 105	\$ 105	\$ 200	\$ 200	\$ 230	\$ 230	\$ 230	\$ 76	\$ 152
47 mph	\$ 110	\$ 110	\$ 110	\$ 110	\$ 110	\$ 205	\$ 205	\$ 235	\$ 235	\$ 235	\$ 77	\$ 154
48 mph	\$ 115	\$ 115	\$ 115	\$ 115	\$ 115	\$ 210	\$ 210	\$ 240	\$ 240	\$ 240	\$ 78	\$ 156
49 mph	\$ 120	\$ 120	\$ 120	\$ 120	\$ 120	\$ 215	\$ 215	\$ 245	\$ 245	\$ 245	\$ 79	\$ 158
50 mph	\$ 125	\$ 125	\$ 125	\$ 125	\$ 125	\$ 220	\$ 220	\$ 250	\$ 250	\$ 250	\$ 80	\$ 160
51 mph	\$ 130	\$ 130	\$ 130	\$ 130	\$ 130	\$ 225	\$ 225	\$ 255	\$ 255	\$ 255	\$ 81	\$ 162
52 mph	\$ 135	\$ 135	\$ 135	\$ 135	\$ 135	\$ 230	\$ 230	\$ 260	\$ 260	\$ 260	\$ 82	\$ 164
53 mph	\$ 140	\$ 140	\$ 140	\$ 140	\$ 140	\$ 235	\$ 235	\$ 265	\$ 265	\$ 265	\$ 83	\$ 166
54 mph	\$ 145	\$ 145	\$ 145	\$ 145	\$ 145	\$ 240	\$ 240	\$ 270	\$ 270	\$ 270	\$ 84	\$ 168
55 mph	\$ 150	\$ 150	\$ 150	\$ 150	\$ 150	\$ 245	\$ 245	\$ 275	\$ 275	\$ 275	\$ 85	\$ 170

Fines for traveling 55 mph

Fines for traveling 65 mph

Fines for traveling 70 mph

Fines for traveling 80 mph

Fines for traveling 90 mph

Fines for traveling 100 mph

Construction zone fines when workers present. Minimum of \$80 unless a greater fine would be applicable.

School zone fines when children are present. Minimum of \$40 unless a greater fine would be applicable.

\$25 decrease in fine at these speeds

1 point	3 points	5 points	7 points	9 points	10 points	12 points	15 points
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## **Proposal A**

- Increase fines 100% at 21 + mph over posted speed Limit 39-06.1-06 (4), (5), (8), and (9).
- Increase fines 100 % at 16 + mph over posted speed Limit 39-06.1-06 (7).
- Stays with intent of initial bill.
- Several fluctuating deterrents with the greatest difference being a decrease of \$140 when going 100 mph in a 60 mph (\$340) and 55 mph (\$200) zone.
- Decrease in fines at speeds of 80 to 95 mph on the interstate.

### **Proposal A.1**

- Remove 39-06.1-06 (4).
- Change 39-06.1-06 (5) to cover roads less than 55 mph and increase fines 100% at 21 + mph over posted speed limit 39-06.1-06 (4), (5), (8), and (9).
- Increase fines 100 % at 16 + mph over posted speed limit 39-06.1-06 (7) and to cover roads of 55 mph and greater.
- Still some fluctuating deterrents with a difference of \$10 being the most. These differences occur when license would be suspended.
- Decrease in fines at speeds of 80 to 95 mph on the interstate.
- Decrease in fines at 1-2 mph over in 25 – 50 mph zones.
- 57.7 % of severe injury crashes are in zones of 55 mph and greater.
- 42.3 % of severe injury crashes are in zones of less than 55 mph.



**SB 2168  
Fee Schedules  
Proposal A**

Speed Limit Zones	25 mph zone	35 mph zone	45 mph zone	50 mph zone	55 mph zone	60 mph zone	65 mph zone	70 mph zone	75 mph zone	80 mph zone	School zone with children	Construction zone with workers
MPH Over	Fine	Fine	Fine	Fine	Fine	Fine	Fine	Fine	Fine	Fine	Fine	Fine
1 mph	\$ 5	\$ 5	\$ 5	\$ 5	\$ 5	\$ 2	\$ 2	\$ 5	\$ 5	\$ 5	\$ 40	\$ 80
2 mph	\$ 5	\$ 5	\$ 5	\$ 5	\$ 5	\$ 4	\$ 4	\$ 10	\$ 10	\$ 10	\$ 40	\$ 80
3 mph	\$ 5	\$ 5	\$ 5	\$ 5	\$ 5	\$ 6	\$ 6	\$ 15	\$ 15	\$ 15	\$ 40	\$ 80
4 mph	\$ 5	\$ 5	\$ 5	\$ 5	\$ 5	\$ 8	\$ 8	\$ 20	\$ 20	\$ 20	\$ 40	\$ 80
5 mph	\$ 5	\$ 5	\$ 5	\$ 5	\$ 5	\$ 10	\$ 10	\$ 25	\$ 25	\$ 25	\$ 40	\$ 80
6 mph	\$ 6	\$ 6	\$ 6	\$ 6	\$ 6	\$ 12	\$ 12	\$ 30	\$ 30	\$ 30	\$ 40	\$ 80
7 mph	\$ 7	\$ 7	\$ 7	\$ 7	\$ 7	\$ 14	\$ 14	\$ 35	\$ 35	\$ 35	\$ 40	\$ 80
8 mph	\$ 8	\$ 8	\$ 8	\$ 8	\$ 8	\$ 16	\$ 16	\$ 40	\$ 40	\$ 40	\$ 40	\$ 80
9 mph	\$ 9	\$ 9	\$ 9	\$ 9	\$ 9	\$ 18	\$ 18	\$ 45	\$ 45	\$ 45	\$ 40	\$ 80
10 mph	\$ 10	\$ 10	\$ 10	\$ 10	\$ 10	\$ 20	\$ 20	\$ 50	\$ 50	\$ 50	\$ 40	\$ 80
11 mph	\$ 11	\$ 11	\$ 11	\$ 11	\$ 11	\$ 25	\$ 25	\$ 55	\$ 55	\$ 55	\$ 41	\$ 82
12 mph	\$ 12	\$ 12	\$ 12	\$ 12	\$ 12	\$ 30	\$ 30	\$ 60	\$ 60	\$ 60	\$ 42	\$ 84
13 mph	\$ 13	\$ 13	\$ 13	\$ 13	\$ 13	\$ 35	\$ 35	\$ 65	\$ 65	\$ 65	\$ 43	\$ 86
14 mph	\$ 14	\$ 14	\$ 14	\$ 14	\$ 14	\$ 40	\$ 40	\$ 70	\$ 70	\$ 70	\$ 44	\$ 88
15 mph	\$ 15	\$ 15	\$ 15	\$ 15	\$ 15	\$ 45	\$ 45	\$ 75	\$ 75	\$ 75	\$ 45	\$ 90
16 mph	\$ 17	\$ 17	\$ 17	\$ 17	\$ 17	\$ 50	\$ 50	\$ 160	\$ 160	\$ 160	\$ 46	\$ 92
17 mph	\$ 19	\$ 19	\$ 19	\$ 55	\$ 19	\$ 55	\$ 55	\$ 170	\$ 170	\$ 170	\$ 47	\$ 94
18 mph	\$ 21	\$ 21	\$ 21	\$ 60	\$ 21	\$ 60	\$ 60	\$ 180	\$ 180	\$ 180	\$ 48	\$ 96
19 mph	\$ 23	\$ 23	\$ 23	\$ 65	\$ 23	\$ 65	\$ 65	\$ 190	\$ 190	\$ 190	\$ 49	\$ 98
20 mph	\$ 25	\$ 25	\$ 25	\$ 25	\$ 25	\$ 70	\$ 70	\$ 200	\$ 200	\$ 200	\$ 50	\$ 100
21 mph	\$ 56	\$ 56	\$ 56	\$ 56	\$ 56	\$ 150	\$ 150	\$ 210	\$ 210	\$ 210	\$ 102	\$ 204
22 mph	\$ 62	\$ 62	\$ 62	\$ 62	\$ 62	\$ 160	\$ 80	\$ 220	\$ 220	\$ 220	\$ 104	\$ 208
23 mph	\$ 68	\$ 68	\$ 68	\$ 68	\$ 68	\$ 170	\$ 170	\$ 230	\$ 230	\$ 230	\$ 106	\$ 212
24 mph	\$ 74	\$ 74	\$ 74	\$ 74	\$ 74	\$ 180	\$ 180	\$ 240	\$ 240	\$ 240	\$ 108	\$ 216
25 mph	\$ 80	\$ 80	\$ 80	\$ 80	\$ 80	\$ 190	\$ 190	\$ 250	\$ 250	\$ 250	\$ 110	\$ 220
26 mph	\$ 86	\$ 86	\$ 86	\$ 86	\$ 86	\$ 200	\$ 200	\$ 260	\$ 260	\$ 260	\$ 112	\$ 224
27 mph	\$ 92	\$ 92	\$ 92	\$ 92	\$ 92	\$ 210	\$ 210	\$ 270	\$ 270	\$ 270	\$ 114	\$ 228
28 mph	\$ 98	\$ 98	\$ 98	\$ 98	\$ 98	\$ 220	\$ 220	\$ 280	\$ 280	\$ 280	\$ 116	\$ 232
29 mph	\$ 104	\$ 104	\$ 104	\$ 104	\$ 104	\$ 230	\$ 230	\$ 290	\$ 290	\$ 290	\$ 118	\$ 236
30 mph	\$ 110	\$ 110	\$ 110	\$ 110	\$ 110	\$ 240	\$ 240	\$ 300	\$ 300	\$ 300	\$ 120	\$ 240
31 mph	\$ 116	\$ 116	\$ 116	\$ 116	\$ 116	\$ 250	\$ 250	\$ 310	\$ 310	\$ 310	\$ 122	\$ 244
32 mph	\$ 122	\$ 122	\$ 122	\$ 122	\$ 122	\$ 260	\$ 260	\$ 320	\$ 320	\$ 320	\$ 124	\$ 248
33 mph	\$ 128	\$ 128	\$ 128	\$ 128	\$ 128	\$ 270	\$ 270	\$ 330	\$ 330	\$ 330	\$ 126	\$ 252
34 mph	\$ 134	\$ 134	\$ 134	\$ 134	\$ 134	\$ 280	\$ 280	\$ 340	\$ 340	\$ 340	\$ 128	\$ 256
35 mph	\$ 140	\$ 140	\$ 140	\$ 140	\$ 140	\$ 290	\$ 290	\$ 350	\$ 350	\$ 350	\$ 130	\$ 260
36 mph	\$ 146	\$ 146	\$ 146	\$ 146	\$ 146	\$ 300	\$ 300	\$ 360	\$ 360	\$ 360	\$ 132	\$ 264
37 mph	\$ 152	\$ 152	\$ 152	\$ 152	\$ 152	\$ 310	\$ 310	\$ 370	\$ 370	\$ 370	\$ 134	\$ 268
38 mph	\$ 158	\$ 158	\$ 158	\$ 158	\$ 158	\$ 320	\$ 320	\$ 380	\$ 380	\$ 380	\$ 136	\$ 272
39 mph	\$ 164	\$ 164	\$ 164	\$ 164	\$ 164	\$ 330	\$ 330	\$ 390	\$ 390	\$ 390	\$ 138	\$ 276
40 mph	\$ 170	\$ 170	\$ 170	\$ 170	\$ 170	\$ 340	\$ 340	\$ 400	\$ 400	\$ 400	\$ 140	\$ 280
41 mph	\$ 176	\$ 176	\$ 176	\$ 176	\$ 176	\$ 350	\$ 350	\$ 410	\$ 410	\$ 410	\$ 142	\$ 284
42 mph	\$ 182	\$ 182	\$ 182	\$ 182	\$ 182	\$ 360	\$ 360	\$ 420	\$ 420	\$ 420	\$ 144	\$ 288
43 mph	\$ 188	\$ 188	\$ 188	\$ 188	\$ 188	\$ 370	\$ 370	\$ 430	\$ 430	\$ 430	\$ 146	\$ 292
44 mph	\$ 194	\$ 194	\$ 194	\$ 194	\$ 194	\$ 380	\$ 380	\$ 440	\$ 440	\$ 440	\$ 148	\$ 296
45 mph	\$ 200	\$ 200	\$ 200	\$ 200	\$ 200	\$ 390	\$ 390	\$ 450	\$ 450	\$ 450	\$ 150	\$ 300
46 mph	\$ 210	\$ 210	\$ 210	\$ 210	\$ 210	\$ 400	\$ 400	\$ 460	\$ 460	\$ 460	\$ 152	\$ 304
47 mph	\$ 220	\$ 220	\$ 220	\$ 220	\$ 220	\$ 410	\$ 410	\$ 470	\$ 470	\$ 470	\$ 154	\$ 308
48 mph	\$ 230	\$ 230	\$ 230	\$ 230	\$ 230	\$ 420	\$ 420	\$ 480	\$ 480	\$ 480	\$ 156	\$ 312
49 mph	\$ 240	\$ 240	\$ 240	\$ 240	\$ 240	\$ 430	\$ 430	\$ 490	\$ 490	\$ 490	\$ 158	\$ 316
50 mph	\$ 250	\$ 250	\$ 250	\$ 250	\$ 250	\$ 440	\$ 440	\$ 500	\$ 500	\$ 500	\$ 160	\$ 320
51 mph	\$ 260	\$ 260	\$ 260	\$ 260	\$ 260	\$ 450	\$ 450	\$ 510	\$ 510	\$ 510	\$ 162	\$ 324
52 mph	\$ 270	\$ 270	\$ 270	\$ 270	\$ 270	\$ 460	\$ 460	\$ 520	\$ 520	\$ 520	\$ 164	\$ 328
53 mph	\$ 280	\$ 280	\$ 280	\$ 280	\$ 280	\$ 470	\$ 470	\$ 530	\$ 530	\$ 530	\$ 166	\$ 332
54 mph	\$ 290	\$ 290	\$ 290	\$ 290	\$ 290	\$ 480	\$ 480	\$ 540	\$ 540	\$ 540	\$ 168	\$ 336
55 mph	\$ 300	\$ 300	\$ 300	\$ 300	\$ 300	\$ 490	\$ 490	\$ 550	\$ 550	\$ 550	\$ 170	\$ 340

Fines for traveling 55 mph												
Fines for traveling 65 mph												
Fines for traveling 70 mph												
Fines for traveling 80 mph												
Fines for traveling 90 mph												
Fines for traveling 100 mph												
Construction zone fines when workers present. Minimum of \$80 unless a greater fine would be applicable.												
School zone fines when children are present. Minimum of \$40 unless a greater fine would be applicable.												
\$25 decrease in fine at these speeds												
	1 point	3 points	5 points	7 points			9 points	10 points	12 points	15 points		

**SB 2168**  
**Fee Schedules**  
**Proposal A.1**

Speed Limit Zones	25 mph zone	35 mph zone	45 mph zone	50 mph zone	55 mph zone	60 mph zone	65 mph zone	70 mph zone	75 mph zone	80 mph zone	School zone with children	Construction zone with workers
MPH Over	Fine	Fine	Fine	Fine	Fine	Fine	Fine	Fine	Fine	Fine	Fine	Fine
1 mph	\$ 2	\$ 2	\$ 2	\$ 2	\$ 5	\$ 5	\$ 5	\$ 5	\$ 5	\$ 5	\$ 40	\$ 80
2 mph	\$ 4	\$ 4	\$ 4	\$ 4	\$ 10	\$ 10	\$ 10	\$ 10	\$ 10	\$ 10	\$ 40	\$ 80
3 mph	\$ 6	\$ 6	\$ 6	\$ 6	\$ 15	\$ 15	\$ 15	\$ 15	\$ 15	\$ 15	\$ 40	\$ 80
4 mph	\$ 8	\$ 8	\$ 8	\$ 8	\$ 20	\$ 20	\$ 20	\$ 20	\$ 20	\$ 20	\$ 40	\$ 80
5 mph	\$ 10	\$ 10	\$ 10	\$ 10	\$ 25	\$ 25	\$ 25	\$ 25	\$ 25	\$ 25	\$ 40	\$ 80
6 mph	\$ 12	\$ 12	\$ 12	\$ 12	\$ 30	\$ 30	\$ 30	\$ 30	\$ 30	\$ 30	\$ 40	\$ 80
7 mph	\$ 14	\$ 14	\$ 14	\$ 14	\$ 35	\$ 35	\$ 35	\$ 35	\$ 35	\$ 35	\$ 40	\$ 80
8 mph	\$ 16	\$ 16	\$ 16	\$ 16	\$ 40	\$ 40	\$ 40	\$ 40	\$ 40	\$ 40	\$ 40	\$ 80
9 mph	\$ 18	\$ 18	\$ 18	\$ 18	\$ 45	\$ 45	\$ 45	\$ 45	\$ 45	\$ 45	\$ 40	\$ 80
10 mph	\$ 20	\$ 20	\$ 20	\$ 20	\$ 50	\$ 50	\$ 50	\$ 50	\$ 50	\$ 50	\$ 40	\$ 80
11 mph	\$ 25	\$ 25	\$ 25	\$ 25	\$ 55	\$ 55	\$ 55	\$ 55	\$ 55	\$ 55	\$ 41	\$ 82
12 mph	\$ 30	\$ 30	\$ 30	\$ 30	\$ 60	\$ 60	\$ 60	\$ 60	\$ 60	\$ 60	\$ 42	\$ 84
13 mph	\$ 35	\$ 35	\$ 35	\$ 35	\$ 65	\$ 65	\$ 65	\$ 65	\$ 65	\$ 65	\$ 43	\$ 86
14 mph	\$ 40	\$ 40	\$ 40	\$ 40	\$ 70	\$ 70	\$ 70	\$ 70	\$ 70	\$ 70	\$ 44	\$ 88
15 mph	\$ 45	\$ 45	\$ 45	\$ 45	\$ 75	\$ 75	\$ 75	\$ 75	\$ 75	\$ 75	\$ 45	\$ 90
16 mph	\$ 50	\$ 50	\$ 50	\$ 50	\$ 160	\$ 160	\$ 160	\$ 160	\$ 160	\$ 160	\$ 46	\$ 92
17 mph	\$ 55	\$ 55	\$ 55	\$ 55	\$ 170	\$ 170	\$ 170	\$ 170	\$ 170	\$ 170	\$ 47	\$ 94
18 mph	\$ 60	\$ 60	\$ 60	\$ 60	\$ 180	\$ 180	\$ 180	\$ 180	\$ 180	\$ 180	\$ 48	\$ 96
19 mph	\$ 65	\$ 65	\$ 65	\$ 65	\$ 190	\$ 190	\$ 190	\$ 190	\$ 190	\$ 190	\$ 49	\$ 98
20 mph	\$ 70	\$ 70	\$ 70	\$ 70	\$ 200	\$ 200	\$ 200	\$ 200	\$ 200	\$ 200	\$ 50	\$ 100
21 mph	\$ 150	\$ 150	\$ 150	\$ 150	\$ 210	\$ 210	\$ 210	\$ 210	\$ 210	\$ 210	\$ 102	\$ 204
22 mph	\$ 160	\$ 160	\$ 160	\$ 160	\$ 220	\$ 220	\$ 220	\$ 220	\$ 220	\$ 220	\$ 104	\$ 208
23 mph	\$ 170	\$ 170	\$ 170	\$ 170	\$ 230	\$ 230	\$ 230	\$ 230	\$ 230	\$ 230	\$ 106	\$ 212
24 mph	\$ 180	\$ 180	\$ 180	\$ 180	\$ 240	\$ 240	\$ 240	\$ 240	\$ 240	\$ 240	\$ 108	\$ 216
25 mph	\$ 190	\$ 190	\$ 190	\$ 190	\$ 250	\$ 250	\$ 250	\$ 250	\$ 250	\$ 250	\$ 110	\$ 220
26 mph	\$ 200	\$ 200	\$ 200	\$ 200	\$ 260	\$ 260	\$ 260	\$ 260	\$ 260	\$ 260	\$ 112	\$ 224
27 mph	\$ 210	\$ 210	\$ 210	\$ 210	\$ 270	\$ 270	\$ 270	\$ 270	\$ 270	\$ 270	\$ 114	\$ 228
28 mph	\$ 220	\$ 220	\$ 220	\$ 220	\$ 280	\$ 280	\$ 280	\$ 280	\$ 280	\$ 280	\$ 116	\$ 232
29 mph	\$ 230	\$ 230	\$ 230	\$ 230	\$ 290	\$ 290	\$ 290	\$ 290	\$ 290	\$ 290	\$ 118	\$ 236
30 mph	\$ 240	\$ 240	\$ 240	\$ 240	\$ 300	\$ 300	\$ 300	\$ 300	\$ 300	\$ 300	\$ 120	\$ 240
31 mph	\$ 250	\$ 250	\$ 250	\$ 250	\$ 310	\$ 310	\$ 310	\$ 310	\$ 310	\$ 310	\$ 122	\$ 244
32 mph	\$ 260	\$ 260	\$ 260	\$ 260	\$ 320	\$ 320	\$ 320	\$ 320	\$ 320	\$ 320	\$ 124	\$ 248
33 mph	\$ 270	\$ 270	\$ 270	\$ 270	\$ 330	\$ 330	\$ 330	\$ 330	\$ 330	\$ 330	\$ 126	\$ 252
34 mph	\$ 280	\$ 280	\$ 280	\$ 280	\$ 340	\$ 340	\$ 340	\$ 340	\$ 340	\$ 340	\$ 128	\$ 256
35 mph	\$ 290	\$ 290	\$ 290	\$ 290	\$ 350	\$ 350	\$ 350	\$ 350	\$ 350	\$ 350	\$ 130	\$ 260
36 mph	\$ 300	\$ 300	\$ 300	\$ 300	\$ 360	\$ 360	\$ 360	\$ 360	\$ 360	\$ 360	\$ 132	\$ 264
37 mph	\$ 310	\$ 310	\$ 310	\$ 310	\$ 370	\$ 370	\$ 370	\$ 370	\$ 370	\$ 370	\$ 134	\$ 268
38 mph	\$ 320	\$ 320	\$ 320	\$ 320	\$ 380	\$ 380	\$ 380	\$ 380	\$ 380	\$ 380	\$ 136	\$ 272
39 mph	\$ 330	\$ 330	\$ 330	\$ 330	\$ 390	\$ 390	\$ 390	\$ 390	\$ 390	\$ 390	\$ 138	\$ 276
40 mph	\$ 340	\$ 340	\$ 340	\$ 340	\$ 400	\$ 400	\$ 400	\$ 400	\$ 400	\$ 400	\$ 140	\$ 280
41 mph	\$ 350	\$ 350	\$ 350	\$ 350	\$ 410	\$ 410	\$ 410	\$ 410	\$ 410	\$ 410	\$ 142	\$ 284
42 mph	\$ 360	\$ 360	\$ 360	\$ 360	\$ 420	\$ 420	\$ 420	\$ 420	\$ 420	\$ 420	\$ 144	\$ 288
43 mph	\$ 370	\$ 370	\$ 370	\$ 370	\$ 430	\$ 430	\$ 430	\$ 430	\$ 430	\$ 430	\$ 146	\$ 292
44 mph	\$ 380	\$ 380	\$ 380	\$ 380	\$ 440	\$ 440	\$ 440	\$ 440	\$ 440	\$ 440	\$ 148	\$ 296
45 mph	\$ 390	\$ 390	\$ 390	\$ 390	\$ 450	\$ 450	\$ 450	\$ 450	\$ 450	\$ 450	\$ 150	\$ 300
46 mph	\$ 400	\$ 400	\$ 400	\$ 400	\$ 460	\$ 460	\$ 460	\$ 460	\$ 460	\$ 460	\$ 152	\$ 304
47 mph	\$ 410	\$ 410	\$ 410	\$ 410	\$ 470	\$ 470	\$ 470	\$ 470	\$ 470	\$ 470	\$ 154	\$ 308
48 mph	\$ 420	\$ 420	\$ 420	\$ 420	\$ 480	\$ 480	\$ 480	\$ 480	\$ 480	\$ 480	\$ 156	\$ 312
49 mph	\$ 430	\$ 430	\$ 430	\$ 430	\$ 490	\$ 490	\$ 490	\$ 490	\$ 490	\$ 490	\$ 158	\$ 316
50 mph	\$ 440	\$ 440	\$ 440	\$ 440	\$ 500	\$ 500	\$ 500	\$ 500	\$ 500	\$ 500	\$ 160	\$ 320
51 mph	\$ 450	\$ 450	\$ 450	\$ 450	\$ 510	\$ 510	\$ 510	\$ 510	\$ 510	\$ 510	\$ 162	\$ 324
52 mph	\$ 460	\$ 460	\$ 460	\$ 460	\$ 520	\$ 520	\$ 520	\$ 520	\$ 520	\$ 520	\$ 164	\$ 328
53 mph	\$ 470	\$ 470	\$ 470	\$ 470	\$ 530	\$ 530	\$ 530	\$ 530	\$ 530	\$ 530	\$ 166	\$ 332
54 mph	\$ 480	\$ 480	\$ 480	\$ 480	\$ 540	\$ 540	\$ 540	\$ 540	\$ 540	\$ 540	\$ 168	\$ 336
55 mph	\$ 490	\$ 490	\$ 490	\$ 490	\$ 550	\$ 550	\$ 550	\$ 550	\$ 550	\$ 550	\$ 170	\$ 340

Fines for traveling 55 mph

Fines for traveling 65 mph

Fines for traveling 70 mph

Fines for traveling 80 mph

Fines for traveling 90 mph

Fines for traveling 100 mph

Construction zone fines when workers present. Minimum of \$80 unless a greater fine would be applicable.

School zone fines when children are present. Minimum of \$40 unless a greater fine would be applicable.

\$25 decrease in fines at these speeds with the increase in speed limit to 80 mph. 25 - 50 mph zones see a slight fine decrease at 1 - 2 mph over.

1 point	3 points	5 points	7 points			9 points	10 points	12 points	15 points		
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**SB 2168**  
**Proposal B**

## North Dakota Speeding Fines Fee Schedules

- **39-06.1-06 (4)**

Except as provided in subsections 5 and 7, for a violation of section 39-09-02, or an equivalent ordinance, a fee established as follows:

Miles per hour over lawful speed limit	Fee
1 - 5	\$ 5
6 - 10	\$ 5 plus \$1/each mph over 5 mph over limit
11 - 15	\$ 10 plus \$1/each mph over 10 mph over limit
16 - 20	\$ 15 plus \$2/each mph over 15 mph over limit
21 - 25	\$ 25 plus \$3/each mph over 20 mph over limit
26 - 35	\$ 40 plus \$3/each mph over 25 mph over limit
36 - 45	\$ 70 plus \$3/each mph over 35 mph over limit
46 +	\$100 plus \$5/each mph over 45 mph over limit

- **39-06.1-06 (5)**

On a highway on which the speed limit is a speed higher than fifty-five miles [88.51 kilometers] an hour, for a violation of section 39-09-02, or an equivalent ordinance, a fee established as follows:

Miles per hour over lawful speed limit	Fee
1 - 10	\$2/each mph over limit
11 +	\$20 plus \$5/each mph over 10 mph over limit

- **39-06.1-06 (7)**

On a highway on which the speed limit is posted in excess of sixty-five miles [104.61 kilometers] an hour, for a violation of section 39-09-02, or equivalent ordinance, a fee of five dollars for each mile per hour over the limit.

- **39-06.1-06 (8)**

For a violation of a school zone speed limit under subdivision b of subsection 1 of section 39-09-02, a fee of forty dollars for one through ten miles per hour over the posted speed; and forty dollars, plus one dollar for each additional mile per hour over ten miles per hour over the limit unless a greater fee would be applicable under this section.

- **39-06.1-06 (9)**

For a violation of a highway construction zone speed limit under subsection 2 of section 39-09-02, a fee of eighty dollars for one through ten miles per hour over the posted speed; and eighty dollars plus two dollars for each mile per hour over ten miles per hour over the limit, unless a greater fee would be applicable under this section. The fee in this subsection does not apply to a highway construction zone unless individuals engaged in construction are present at the time and place of the violation and the posted speed limit sign states "Minimum Fee \$80".

**North Dakota Speed Zone  
Fee Schedules**

Speed Limit Zones	25 mph zone	35 mph zone	45 mph zone	50 mph zone	55 mph zone	60 mph zone	65 mph zone	70 mph zone	75 mph zone	80 mph zone	School zone with children	Construction zone with workers
MPH Over	Fine	Fine	Fine	Fine	Fine	Fine	Fine	Fine	Fine	Fine	Fine	Fine
1 mph	\$ 5	\$ 5	\$ 5	\$ 5	\$ 5	\$ 2	\$ 2	\$ 5	\$ 5	\$ 5	\$ 40	\$ 80
2 mph	\$ 5	\$ 5	\$ 5	\$ 5	\$ 5	\$ 4	\$ 4	\$ 10	\$ 10	\$ 10	\$ 40	\$ 80
3 mph	\$ 5	\$ 5	\$ 5	\$ 5	\$ 5	\$ 6	\$ 6	\$ 15	\$ 15	\$ 15	\$ 40	\$ 80
4 mph	\$ 5	\$ 5	\$ 5	\$ 5	\$ 5	\$ 8	\$ 8	\$ 20	\$ 20	\$ 20	\$ 40	\$ 80
5 mph	\$ 5	\$ 5	\$ 5	\$ 5	\$ 5	\$ 10	\$ 10	\$ 25	\$ 25	\$ 25	\$ 40	\$ 80
6 mph	\$ 6	\$ 6	\$ 6	\$ 6	\$ 6	\$ 12	\$ 12	\$ 30	\$ 30	\$ 30	\$ 40	\$ 80
7 mph	\$ 7	\$ 7	\$ 7	\$ 7	\$ 7	\$ 14	\$ 14	\$ 35	\$ 35	\$ 35	\$ 40	\$ 80
8 mph	\$ 8	\$ 8	\$ 8	\$ 8	\$ 8	\$ 16	\$ 16	\$ 40	\$ 40	\$ 40	\$ 40	\$ 80
9 mph	\$ 9	\$ 9	\$ 9	\$ 9	\$ 9	\$ 18	\$ 18	\$ 45	\$ 45	\$ 45	\$ 40	\$ 80
10 mph	\$ 10	\$ 10	\$ 10	\$ 10	\$ 10	\$ 20	\$ 20	\$ 50	\$ 50	\$ 50	\$ 40	\$ 80
11 mph	\$ 11	\$ 11	\$ 11	\$ 11	\$ 11	\$ 25	\$ 25	\$ 55	\$ 55	\$ 55	\$ 41	\$ 82
12 mph	\$ 12	\$ 12	\$ 12	\$ 12	\$ 12	\$ 30	\$ 30	\$ 60	\$ 60	\$ 60	\$ 42	\$ 84
13 mph	\$ 13	\$ 13	\$ 13	\$ 13	\$ 13	\$ 35	\$ 35	\$ 65	\$ 65	\$ 65	\$ 43	\$ 86
14 mph	\$ 14	\$ 14	\$ 14	\$ 14	\$ 14	\$ 40	\$ 40	\$ 70	\$ 70	\$ 70	\$ 44	\$ 88
15 mph	\$ 15	\$ 15	\$ 15	\$ 15	\$ 15	\$ 45	\$ 45	\$ 75	\$ 75	\$ 75	\$ 45	\$ 90
16 mph	\$ 17	\$ 17	\$ 17	\$ 17	\$ 17	\$ 50	\$ 50	\$ 80	\$ 80	\$ 80	\$ 46	\$ 92
17 mph	\$ 19	\$ 19	\$ 19	\$ 55	\$ 19	\$ 55	\$ 55	\$ 85	\$ 85	\$ 85	\$ 47	\$ 94
18 mph	\$ 21	\$ 21	\$ 21	\$ 60	\$ 21	\$ 60	\$ 60	\$ 90	\$ 90	\$ 90	\$ 48	\$ 96
19 mph	\$ 23	\$ 23	\$ 23	\$ 65	\$ 23	\$ 65	\$ 65	\$ 95	\$ 95	\$ 95	\$ 49	\$ 98
20 mph	\$ 25	\$ 25	\$ 25	\$ 25	\$ 25	\$ 70	\$ 70	\$ 100	\$ 100	\$ 100	\$ 50	\$ 100
21 mph	\$ 28	\$ 28	\$ 28	\$ 28	\$ 28	\$ 75	\$ 75	\$ 105	\$ 105	\$ 105	\$ 51	\$ 102
22 mph	\$ 31	\$ 31	\$ 31	\$ 31	\$ 31	\$ 80	\$ 80	\$ 110	\$ 110	\$ 110	\$ 52	\$ 104
23 mph	\$ 34	\$ 34	\$ 34	\$ 34	\$ 34	\$ 85	\$ 85	\$ 115	\$ 115	\$ 115	\$ 53	\$ 106
24 mph	\$ 37	\$ 37	\$ 37	\$ 37	\$ 37	\$ 90	\$ 90	\$ 120	\$ 120	\$ 120	\$ 54	\$ 108
25 mph	\$ 40	\$ 40	\$ 40	\$ 40	\$ 40	\$ 95	\$ 95	\$ 125	\$ 125	\$ 125	\$ 55	\$ 110
26 mph	\$ 43	\$ 43	\$ 43	\$ 43	\$ 43	\$ 100	\$ 100	\$ 130	\$ 130	\$ 130	\$ 56	\$ 112
27 mph	\$ 46	\$ 46	\$ 46	\$ 46	\$ 46	\$ 105	\$ 105	\$ 135	\$ 135	\$ 135	\$ 57	\$ 114
28 mph	\$ 49	\$ 49	\$ 49	\$ 49	\$ 49	\$ 110	\$ 110	\$ 140	\$ 140	\$ 140	\$ 58	\$ 116
29 mph	\$ 52	\$ 52	\$ 52	\$ 52	\$ 52	\$ 115	\$ 115	\$ 145	\$ 145	\$ 145	\$ 59	\$ 118
30 mph	\$ 55	\$ 55	\$ 55	\$ 55	\$ 55	\$ 120	\$ 120	\$ 150	\$ 150	\$ 150	\$ 60	\$ 120
31 mph	\$ 58	\$ 58	\$ 58	\$ 58	\$ 58	\$ 125	\$ 125	\$ 155	\$ 155	\$ 155	\$ 61	\$ 122
32 mph	\$ 61	\$ 61	\$ 61	\$ 61	\$ 61	\$ 130	\$ 130	\$ 160	\$ 160	\$ 160	\$ 62	\$ 124
33 mph	\$ 64	\$ 64	\$ 64	\$ 64	\$ 64	\$ 135	\$ 135	\$ 165	\$ 165	\$ 165	\$ 63	\$ 126
34 mph	\$ 67	\$ 67	\$ 67	\$ 67	\$ 67	\$ 140	\$ 140	\$ 170	\$ 170	\$ 170	\$ 64	\$ 128
35 mph	\$ 70	\$ 70	\$ 70	\$ 70	\$ 70	\$ 145	\$ 145	\$ 175	\$ 175	\$ 175	\$ 65	\$ 130
36 mph	\$ 73	\$ 73	\$ 73	\$ 73	\$ 73	\$ 150	\$ 150	\$ 180	\$ 180	\$ 180	\$ 66	\$ 132
37 mph	\$ 76	\$ 76	\$ 76	\$ 76	\$ 76	\$ 155	\$ 155	\$ 185	\$ 185	\$ 185	\$ 67	\$ 134
38 mph	\$ 79	\$ 79	\$ 79	\$ 79	\$ 79	\$ 160	\$ 160	\$ 190	\$ 190	\$ 190	\$ 68	\$ 136
39 mph	\$ 82	\$ 82	\$ 82	\$ 82	\$ 82	\$ 165	\$ 165	\$ 195	\$ 195	\$ 195	\$ 69	\$ 138
40 mph	\$ 85	\$ 85	\$ 85	\$ 85	\$ 85	\$ 170	\$ 170	\$ 200	\$ 200	\$ 200	\$ 70	\$ 140
41 mph	\$ 88	\$ 88	\$ 88	\$ 88	\$ 88	\$ 175	\$ 175	\$ 205	\$ 205	\$ 205	\$ 71	\$ 142
42 mph	\$ 91	\$ 91	\$ 91	\$ 91	\$ 91	\$ 180	\$ 180	\$ 210	\$ 210	\$ 210	\$ 73	\$ 144
43 mph	\$ 94	\$ 94	\$ 94	\$ 94	\$ 94	\$ 185	\$ 185	\$ 215	\$ 215	\$ 215	\$ 73	\$ 146
44 mph	\$ 97	\$ 97	\$ 97	\$ 97	\$ 97	\$ 190	\$ 190	\$ 220	\$ 220	\$ 220	\$ 74	\$ 148
45 mph	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100	\$ 195	\$ 195	\$ 225	\$ 225	\$ 225	\$ 75	\$ 150
46 mph	\$ 105	\$ 105	\$ 105	\$ 105	\$ 105	\$ 200	\$ 200	\$ 230	\$ 230	\$ 230	\$ 76	\$ 152
47 mph	\$ 110	\$ 110	\$ 110	\$ 110	\$ 110	\$ 205	\$ 205	\$ 235	\$ 235	\$ 235	\$ 77	\$ 154
48 mph	\$ 115	\$ 115	\$ 115	\$ 115	\$ 115	\$ 210	\$ 210	\$ 240	\$ 240	\$ 240	\$ 78	\$ 156
49 mph	\$ 120	\$ 120	\$ 120	\$ 120	\$ 120	\$ 215	\$ 215	\$ 245	\$ 245	\$ 245	\$ 79	\$ 158
50 mph	\$ 125	\$ 125	\$ 125	\$ 125	\$ 125	\$ 220	\$ 220	\$ 250	\$ 250	\$ 250	\$ 80	\$ 160
51 mph	\$ 130	\$ 130	\$ 130	\$ 130	\$ 130	\$ 225	\$ 225	\$ 255	\$ 255	\$ 255	\$ 81	\$ 162
52 mph	\$ 135	\$ 135	\$ 135	\$ 135	\$ 135	\$ 230	\$ 230	\$ 260	\$ 260	\$ 260	\$ 82	\$ 164
53 mph	\$ 140	\$ 140	\$ 140	\$ 140	\$ 140	\$ 235	\$ 235	\$ 265	\$ 265	\$ 265	\$ 83	\$ 166
54 mph	\$ 145	\$ 145	\$ 145	\$ 145	\$ 145	\$ 240	\$ 240	\$ 270	\$ 270	\$ 270	\$ 84	\$ 168
55 mph	\$ 150	\$ 150	\$ 150	\$ 150	\$ 150	\$ 245	\$ 245	\$ 275	\$ 275	\$ 275	\$ 85	\$ 170

Fines for traveling 55 mph

Fines for traveling 65 mph

Fines for traveling 70 mph

Fines for traveling 80 mph

Fines for traveling 90 mph

Fines for traveling 100 mph

Construction zone fines when workers present. Minimum of \$80 unless a greater fine would be applicable.

School zone fines when children are present. Minimum of \$40 unless a greater fine would be applicable.

\$25 decrease in fine at these speeds

1 point	3 points	5 points	7 points		9 points	10 points	12 points	15 points		
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## **Proposal B**

- Remove 39-06.1-06 (4).
- Change 39-06.1-06 (5) to cover roads less than 55 mph and increase fines \$100 at 21 + mph over posted speed limit 39-06.1-06 (5), (8), and (9)
- Increase fines \$100 at 16 + mph over posted speed Limit 39-06.1-06 (7) and change to cover roads of 55 mph and greater.
- Decrease in initial bill proposal and move to two fee schedules.
- Still some fluctuating deterrents with a difference of \$5 being the most. These differences occur when license would be suspended.
- Decrease in fines at speeds of 80 to 95 mph on the interstate.
- Decrease in fines at 1-2 mph over in 25 – 50 mph zones.
- Targeting speed zones along the interstate corridor.
- Targeting speed zones where the most severe injury crashes occur.
- 57.7 % of severe injury crashes are in zones of 55 mph and greater.
- 42.3 % of severe injury crashes are in zones of less than 55 mph.
- Hog house SB 2169 for studies.

**SB 2168**  
**Fee Schedules**  
**Proposal B**

Speed Limit Zones	25 mph zone	35 mph zone	45 mph zone	50 mph zone	55 mph zone	60 mph zone	65 mph zone	70 mph zone	75 mph zone	80 mph zone	School zone with children	Construction zone with workers
MPH Over	Fine	Fine	Fine	Fine	Fine	Fine	Fine	Fine	Fine	Fine	Fine	Fine
1 mph	\$ 2	\$ 2	\$ 2	\$ 2	\$ 5	\$ 5	\$ 5	\$ 5	\$ 5	\$ 5	\$ 40	\$ 80
2 mph	\$ 4	\$ 4	\$ 4	\$ 4	\$ 10	\$ 10	\$ 10	\$ 10	\$ 10	\$ 10	\$ 40	\$ 80
3 mph	\$ 6	\$ 6	\$ 6	\$ 6	\$ 15	\$ 15	\$ 15	\$ 15	\$ 15	\$ 15	\$ 40	\$ 80
4 mph	\$ 8	\$ 8	\$ 8	\$ 8	\$ 20	\$ 20	\$ 20	\$ 20	\$ 20	\$ 20	\$ 40	\$ 80
5 mph	\$ 10	\$ 10	\$ 10	\$ 10	\$ 25	\$ 25	\$ 25	\$ 25	\$ 25	\$ 25	\$ 40	\$ 80
6 mph	\$ 12	\$ 12	\$ 12	\$ 12	\$ 30	\$ 30	\$ 30	\$ 30	\$ 30	\$ 30	\$ 40	\$ 80
7 mph	\$ 14	\$ 14	\$ 14	\$ 14	\$ 35	\$ 35	\$ 35	\$ 35	\$ 35	\$ 35	\$ 40	\$ 80
8 mph	\$ 16	\$ 16	\$ 16	\$ 16	\$ 40	\$ 40	\$ 40	\$ 40	\$ 40	\$ 40	\$ 40	\$ 80
9 mph	\$ 18	\$ 18	\$ 18	\$ 18	\$ 45	\$ 45	\$ 45	\$ 45	\$ 45	\$ 45	\$ 40	\$ 80
10 mph	\$ 20	\$ 20	\$ 20	\$ 20	\$ 50	\$ 50	\$ 50	\$ 50	\$ 50	\$ 50	\$ 40	\$ 80
11 mph	\$ 25	\$ 25	\$ 25	\$ 25	\$ 55	\$ 55	\$ 55	\$ 55	\$ 55	\$ 55	\$ 41	\$ 82
12 mph	\$ 30	\$ 30	\$ 30	\$ 30	\$ 60	\$ 60	\$ 60	\$ 60	\$ 60	\$ 60	\$ 42	\$ 84
13 mph	\$ 35	\$ 35	\$ 35	\$ 35	\$ 65	\$ 65	\$ 65	\$ 65	\$ 65	\$ 65	\$ 43	\$ 86
14 mph	\$ 40	\$ 40	\$ 40	\$ 40	\$ 70	\$ 70	\$ 70	\$ 70	\$ 70	\$ 70	\$ 44	\$ 88
15 mph	\$ 45	\$ 45	\$ 45	\$ 45	\$ 75	\$ 75	\$ 75	\$ 75	\$ 75	\$ 75	\$ 45	\$ 90
16 mph	\$ 50	\$ 50	\$ 50	\$ 50	\$ 180	\$ 180	\$ 180	\$ 180	\$ 180	\$ 180	\$ 46	\$ 92
17 mph	\$ 55	\$ 55	\$ 55	\$ 55	\$ 185	\$ 185	\$ 185	\$ 185	\$ 185	\$ 185	\$ 47	\$ 94
18 mph	\$ 60	\$ 60	\$ 60	\$ 60	\$ 190	\$ 190	\$ 190	\$ 190	\$ 190	\$ 190	\$ 48	\$ 96
19 mph	\$ 65	\$ 65	\$ 65	\$ 65	\$ 195	\$ 195	\$ 195	\$ 195	\$ 195	\$ 195	\$ 49	\$ 98
20 mph	\$ 70	\$ 70	\$ 70	\$ 70	\$ 200	\$ 200	\$ 200	\$ 200	\$ 200	\$ 200	\$ 50	\$ 100
21 mph	\$ 175	\$ 175	\$ 175	\$ 175	\$ 205	\$ 205	\$ 205	\$ 205	\$ 205	\$ 205	\$ 151	\$ 202
22 mph	\$ 180	\$ 180	\$ 180	\$ 180	\$ 210	\$ 210	\$ 210	\$ 210	\$ 210	\$ 210	\$ 152	\$ 204
23 mph	\$ 185	\$ 185	\$ 185	\$ 185	\$ 215	\$ 215	\$ 215	\$ 215	\$ 215	\$ 215	\$ 153	\$ 206
24 mph	\$ 190	\$ 190	\$ 190	\$ 190	\$ 220	\$ 220	\$ 220	\$ 220	\$ 220	\$ 220	\$ 154	\$ 208
25 mph	\$ 195	\$ 195	\$ 195	\$ 195	\$ 225	\$ 225	\$ 225	\$ 225	\$ 225	\$ 225	\$ 155	\$ 210
26 mph	\$ 200	\$ 200	\$ 200	\$ 200	\$ 230	\$ 230	\$ 230	\$ 230	\$ 230	\$ 230	\$ 156	\$ 212
27 mph	\$ 205	\$ 205	\$ 205	\$ 205	\$ 235	\$ 235	\$ 235	\$ 235	\$ 235	\$ 235	\$ 157	\$ 214
28 mph	\$ 210	\$ 210	\$ 210	\$ 210	\$ 240	\$ 240	\$ 240	\$ 240	\$ 240	\$ 240	\$ 158	\$ 216
29 mph	\$ 215	\$ 215	\$ 215	\$ 215	\$ 245	\$ 245	\$ 245	\$ 245	\$ 245	\$ 245	\$ 159	\$ 218
30 mph	\$ 220	\$ 220	\$ 220	\$ 220	\$ 250	\$ 250	\$ 250	\$ 250	\$ 250	\$ 250	\$ 160	\$ 220
31 mph	\$ 225	\$ 225	\$ 225	\$ 225	\$ 255	\$ 255	\$ 255	\$ 255	\$ 255	\$ 255	\$ 161	\$ 222
32 mph	\$ 230	\$ 230	\$ 230	\$ 230	\$ 260	\$ 260	\$ 260	\$ 260	\$ 260	\$ 260	\$ 162	\$ 224
33 mph	\$ 235	\$ 235	\$ 235	\$ 235	\$ 265	\$ 265	\$ 265	\$ 265	\$ 265	\$ 265	\$ 163	\$ 226
34 mph	\$ 240	\$ 240	\$ 240	\$ 240	\$ 270	\$ 270	\$ 270	\$ 270	\$ 270	\$ 270	\$ 164	\$ 228
35 mph	\$ 245	\$ 245	\$ 245	\$ 245	\$ 275	\$ 275	\$ 275	\$ 275	\$ 275	\$ 275	\$ 165	\$ 230
36 mph	\$ 250	\$ 250	\$ 250	\$ 250	\$ 280	\$ 280	\$ 280	\$ 280	\$ 280	\$ 280	\$ 166	\$ 232
37 mph	\$ 255	\$ 255	\$ 255	\$ 255	\$ 285	\$ 285	\$ 285	\$ 285	\$ 285	\$ 285	\$ 167	\$ 234
38 mph	\$ 260	\$ 260	\$ 260	\$ 260	\$ 290	\$ 290	\$ 290	\$ 290	\$ 290	\$ 290	\$ 168	\$ 236
39 mph	\$ 265	\$ 265	\$ 265	\$ 265	\$ 295	\$ 295	\$ 295	\$ 295	\$ 295	\$ 295	\$ 169	\$ 238
40 mph	\$ 270	\$ 270	\$ 270	\$ 270	\$ 300	\$ 300	\$ 300	\$ 300	\$ 300	\$ 300	\$ 170	\$ 240
41 mph	\$ 275	\$ 275	\$ 275	\$ 275	\$ 305	\$ 305	\$ 305	\$ 305	\$ 305	\$ 305	\$ 171	\$ 242
42 mph	\$ 280	\$ 280	\$ 280	\$ 280	\$ 310	\$ 310	\$ 310	\$ 310	\$ 310	\$ 310	\$ 172	\$ 244
43 mph	\$ 285	\$ 285	\$ 285	\$ 285	\$ 315	\$ 315	\$ 315	\$ 315	\$ 315	\$ 315	\$ 173	\$ 246
44 mph	\$ 290	\$ 290	\$ 290	\$ 290	\$ 320	\$ 320	\$ 320	\$ 320	\$ 320	\$ 320	\$ 174	\$ 248
45 mph	\$ 295	\$ 295	\$ 295	\$ 295	\$ 325	\$ 325	\$ 325	\$ 325	\$ 325	\$ 325	\$ 175	\$ 250
46 mph	\$ 300	\$ 300	\$ 300	\$ 300	\$ 330	\$ 330	\$ 330	\$ 330	\$ 330	\$ 330	\$ 176	\$ 252
47 mph	\$ 305	\$ 305	\$ 305	\$ 305	\$ 335	\$ 335	\$ 335	\$ 335	\$ 335	\$ 335	\$ 177	\$ 254
48 mph	\$ 310	\$ 310	\$ 310	\$ 310	\$ 340	\$ 340	\$ 340	\$ 340	\$ 340	\$ 340	\$ 178	\$ 256
49 mph	\$ 315	\$ 315	\$ 315	\$ 315	\$ 345	\$ 345	\$ 345	\$ 345	\$ 345	\$ 345	\$ 179	\$ 258
50 mph	\$ 320	\$ 320	\$ 320	\$ 320	\$ 350	\$ 350	\$ 350	\$ 350	\$ 350	\$ 350	\$ 180	\$ 260
51 mph	\$ 325	\$ 325	\$ 325	\$ 325	\$ 355	\$ 355	\$ 355	\$ 355	\$ 355	\$ 355	\$ 181	\$ 262
52 mph	\$ 330	\$ 330	\$ 330	\$ 330	\$ 360	\$ 360	\$ 360	\$ 360	\$ 360	\$ 360	\$ 182	\$ 264
53 mph	\$ 335	\$ 335	\$ 335	\$ 335	\$ 365	\$ 365	\$ 365	\$ 365	\$ 365	\$ 365	\$ 183	\$ 266
54 mph	\$ 340	\$ 340	\$ 340	\$ 340	\$ 370	\$ 370	\$ 370	\$ 370	\$ 370	\$ 370	\$ 184	\$ 268
55 mph	\$ 345	\$ 345	\$ 345	\$ 345	\$ 375	\$ 375	\$ 375	\$ 375	\$ 375	\$ 375	\$ 185	\$ 270

Fines for traveling 55 mph

Fines for traveling 65 mph

Fines for traveling 70 mph

Fines for traveling 80 mph

Fines for traveling 90 mph

Fines for traveling 100 mph

Constructions zone fines when workers present. Minimum of \$80 unless a greater fine would be applicable.

School zone fines when children are present. Minimum of \$40 unless a greater fine would be applicable.

1 point	3 points	5 points	7 points	9 points	10 points	12 points	15 points
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CURRENT FEE SCHEDULES										
Speed Zones	25	35	45	50	55	60	65	70	75	80
Speeds	39-06.1-06 (4)				39-06.1-06 (5)			39-06.1-06 (7)		
55 mph	\$ 55	\$ 25	\$ 10	\$ 5	N/A	N/A	N/A	N/A	N/A	N/A
65 mph	\$ 85	\$ 55	\$ 25	\$ 15	\$ 10	\$ 10	N/A	N/A	N/A	N/A
70 mph	\$ 100	\$ 70	\$ 40	\$ 25	\$ 15	\$ 20	\$ 10	N/A	N/A	N/A
80 mph	\$ 150	\$ 100	\$ 70	\$ 55	\$ 40	\$ 70	\$ 45	\$ 50	\$ 25	N/A
90 mph	\$ 200	\$ 150	\$ 100	\$ 85	\$ 70	\$ 120	\$ 95	\$ 100	\$ 75	\$ 50
100 mph	\$ 250	\$ 200	\$ 150	\$ 125	\$ 100	\$ 170	\$ 145	\$ 150	\$ 125	\$ 100

Proposal B											
Speed Zones	25	35	45	50	55	60	65	70	75	80	
Speeds	39-06.1-06 (4)							39-06.1-06 (5)		39-06.1-06 (7)	
	+ \$100 at 21 + mph over							+ 100% at 16 + mph over			
55 mph	\$ 155	\$ 25	\$ 10	\$ 5	N/A	N/A	N/A	N/A	N/A	N/A	
65 mph	\$ 185	\$ 155	\$ 25	\$ 15	\$ 10	\$ 10	N/A	N/A	N/A	N/A	
70 mph	\$ 200	\$ 170	\$ 140	\$ 25	\$ 15	\$ 20	\$ 10	N/A	N/A	N/A	
80 mph	\$ 250	\$ 200	\$ 170	\$ 155	\$ 140	\$ 70	\$ 45	\$ 50	\$ 25	N/A	
90 mph	\$ 300	\$ 250	\$ 200	\$ 185	\$ 170	\$ 220	\$ 195	\$ 200	\$ 75	\$ 50	
100 mph	\$ 350	\$ 300	\$ 250	\$ 225	\$ 200	\$ 270	\$ 245	\$ 250	\$ 225	\$ 200	

Proposal B.1											
Speed Zones	25	35	45	50	55	60	65	70	75	80	
Speeds	39-06.1-06 (5)							39-06.1-06 (7)			
	+ \$100 at 21 + mph over							+ \$100 at 16 + mph over			
55 mph	\$ 220	\$ 70	\$ 20	\$ 10	N/A	N/A	N/A	N/A	N/A	N/A	
65 mph	\$ 270	\$ 220	\$ 70	\$ 45	\$ 20	\$ 10	N/A	N/A	N/A	N/A	
70 mph	\$ 295	\$ 245	\$ 195	\$ 70	\$ 45	\$ 20	\$ 10	N/A	N/A	N/A	
80 mph	\$ 345	\$ 295	\$ 245	\$ 220	\$ 195	\$ 70	\$ 45	\$ 50	\$ 25	N/A	
90 mph	\$ 395	\$ 345	\$ 295	\$ 270	\$ 245	\$ 220	\$ 195	\$ 200	\$ 75	\$ 50	
100 mph	\$ 445	\$ 395	\$ 345	\$ 320	\$ 295	\$ 270	\$ 245	\$ 250	\$ 225	\$ 200	

Proposal B.2											
Speed Zones	25	35	45	50	55	60	65	70	75	80	
Speeds	39-06.1-06 (5)				39-06.1-06 (7)						
	+ \$100 at 21 + mph over				+ \$100 at 16 + mph over						
55 mph	\$ 220	\$ 70	\$ 20	\$ 10	N/A	N/A	N/A	N/A	N/A	N/A	
65 mph	\$ 270	\$ 220	\$ 70	\$ 45	\$ 50	\$ 25	N/A	N/A	N/A	N/A	
70 mph	\$ 295	\$ 245	\$ 195	\$ 70	\$ 75	\$ 50	\$ 25	N/A	N/A	N/A	
80 mph	\$ 345	\$ 295	\$ 245	\$ 220	\$ 225	\$ 200	\$ 75	\$ 50	\$ 25	N/A	
90 mph	\$ 395	\$ 345	\$ 295	\$ 270	\$ 275	\$ 250	\$ 225	\$ 200	\$ 75	\$ 50	
100 mph	\$ 445	\$ 395	\$ 345	\$ 320	\$ 325	\$ 300	\$ 275	\$ 250	\$ 225	\$ 200	



**North Dakota Speeding  
Current Fee Schedules**

Speed Limit Zones	25 mph zone	35 mph zone	45 mph zone	50 mph zone	55 mph zone	60 mph zone	65 mph zone	70 mph zone	75 mph zone	80 mph zone
MPH Over	Fine	Fine	Fine	Fine	Fine	Fine	Fine	Fine	Fine	Fine
1 mph	\$ 5	\$ 5	\$ 5	\$ 5	\$ 5	\$ 2	\$ 2	\$ 5	\$ 5	\$ 5
2 mph	\$ 5	\$ 5	\$ 5	\$ 5	\$ 5	\$ 4	\$ 4	\$ 10	\$ 10	\$ 10
3 mph	\$ 5	\$ 5	\$ 5	\$ 5	\$ 5	\$ 6	\$ 6	\$ 15	\$ 15	\$ 15
4 mph	\$ 5	\$ 5	\$ 5	\$ 5	\$ 5	\$ 8	\$ 8	\$ 20	\$ 20	\$ 20
5 mph	\$ 5	\$ 5	\$ 5	\$ 5	\$ 5	\$ 10	\$ 10	\$ 25	\$ 25	\$ 25
6 mph	\$ 6	\$ 6	\$ 6	\$ 6	\$ 6	\$ 12	\$ 12	\$ 30	\$ 30	\$ 30
7 mph	\$ 7	\$ 7	\$ 7	\$ 7	\$ 7	\$ 14	\$ 14	\$ 35	\$ 35	\$ 35
8 mph	\$ 8	\$ 8	\$ 8	\$ 8	\$ 8	\$ 16	\$ 16	\$ 40	\$ 40	\$ 40
9 mph	\$ 9	\$ 9	\$ 9	\$ 9	\$ 9	\$ 18	\$ 18	\$ 45	\$ 45	\$ 45
10 mph	\$ 10	\$ 10	\$ 10	\$ 10	\$ 10	\$ 20	\$ 20	\$ 50	\$ 50	\$ 50
11 mph	\$ 11	\$ 11	\$ 11	\$ 11	\$ 11	\$ 25	\$ 25	\$ 55	\$ 55	\$ 55
12 mph	\$ 12	\$ 12	\$ 12	\$ 12	\$ 12	\$ 30	\$ 30	\$ 60	\$ 60	\$ 60
13 mph	\$ 13	\$ 13	\$ 13	\$ 13	\$ 13	\$ 35	\$ 35	\$ 65	\$ 65	\$ 65
14 mph	\$ 14	\$ 14	\$ 14	\$ 14	\$ 14	\$ 40	\$ 40	\$ 70	\$ 70	\$ 70
15 mph	\$ 15	\$ 15	\$ 15	\$ 15	\$ 15	\$ 45	\$ 45	\$ 75	\$ 75	\$ 75
16 mph	\$ 17	\$ 17	\$ 17	\$ 17	\$ 17	\$ 50	\$ 50	\$ 80	\$ 80	\$ 80
17 mph	\$ 19	\$ 19	\$ 19	\$ 55	\$ 19	\$ 55	\$ 55	\$ 85	\$ 85	\$ 85
18 mph	\$ 21	\$ 21	\$ 21	\$ 60	\$ 21	\$ 60	\$ 60	\$ 90	\$ 90	\$ 90
19 mph	\$ 23	\$ 23	\$ 23	\$ 65	\$ 23	\$ 65	\$ 65	\$ 95	\$ 95	\$ 95
20 mph	\$ 25	\$ 25	\$ 25	\$ 25	\$ 25	\$ 70	\$ 70	\$ 100	\$ 100	\$ 100
21 mph	\$ 28	\$ 28	\$ 28	\$ 28	\$ 28	\$ 75	\$ 75	\$ 105	\$ 105	\$ 105
22 mph	\$ 31	\$ 31	\$ 31	\$ 31	\$ 31	\$ 80	\$ 80	\$ 110	\$ 110	\$ 110
23 mph	\$ 34	\$ 34	\$ 34	\$ 34	\$ 34	\$ 85	\$ 85	\$ 115	\$ 115	\$ 115
24 mph	\$ 37	\$ 37	\$ 37	\$ 37	\$ 37	\$ 90	\$ 90	\$ 120	\$ 120	\$ 120
25 mph	\$ 40	\$ 40	\$ 40	\$ 40	\$ 40	\$ 95	\$ 95	\$ 125	\$ 125	\$ 125
26 mph	\$ 43	\$ 43	\$ 43	\$ 43	\$ 43	\$ 100	\$ 100	\$ 130	\$ 130	\$ 130
27 mph	\$ 46	\$ 46	\$ 46	\$ 46	\$ 46	\$ 105	\$ 105	\$ 135	\$ 135	\$ 135
28 mph	\$ 49	\$ 49	\$ 49	\$ 49	\$ 49	\$ 110	\$ 110	\$ 140	\$ 140	\$ 140
29 mph	\$ 52	\$ 52	\$ 52	\$ 52	\$ 52	\$ 115	\$ 115	\$ 145	\$ 145	\$ 145
30 mph	\$ 55	\$ 55	\$ 55	\$ 55	\$ 55	\$ 120	\$ 120	\$ 150	\$ 150	\$ 150
31 mph	\$ 58	\$ 58	\$ 58	\$ 58	\$ 58	\$ 125	\$ 125	\$ 155	\$ 155	\$ 155
32 mph	\$ 61	\$ 61	\$ 61	\$ 61	\$ 61	\$ 130	\$ 130	\$ 160	\$ 160	\$ 160
33 mph	\$ 64	\$ 64	\$ 64	\$ 64	\$ 64	\$ 135	\$ 135	\$ 165	\$ 165	\$ 165
34 mph	\$ 67	\$ 67	\$ 67	\$ 67	\$ 67	\$ 140	\$ 140	\$ 170	\$ 170	\$ 170
35 mph	\$ 70	\$ 70	\$ 70	\$ 70	\$ 70	\$ 145	\$ 145	\$ 175	\$ 175	\$ 175
36 mph	\$ 73	\$ 73	\$ 73	\$ 73	\$ 73	\$ 150	\$ 150	\$ 180	\$ 180	\$ 180
37 mph	\$ 76	\$ 76	\$ 76	\$ 76	\$ 76	\$ 155	\$ 155	\$ 185	\$ 185	\$ 185
38 mph	\$ 79	\$ 79	\$ 79	\$ 79	\$ 79	\$ 160	\$ 160	\$ 190	\$ 190	\$ 190
39 mph	\$ 82	\$ 82	\$ 82	\$ 82	\$ 82	\$ 165	\$ 165	\$ 195	\$ 195	\$ 195
40 mph	\$ 85	\$ 85	\$ 85	\$ 85	\$ 85	\$ 170	\$ 170	\$ 200	\$ 200	\$ 200
41 mph	\$ 88	\$ 88	\$ 88	\$ 88	\$ 88	\$ 175	\$ 175	\$ 205	\$ 205	\$ 205
42 mph	\$ 91	\$ 91	\$ 91	\$ 91	\$ 91	\$ 180	\$ 180	\$ 210	\$ 210	\$ 210
43 mph	\$ 94	\$ 94	\$ 94	\$ 94	\$ 94	\$ 185	\$ 185	\$ 215	\$ 215	\$ 215
44 mph	\$ 97	\$ 97	\$ 97	\$ 97	\$ 97	\$ 190	\$ 190	\$ 220	\$ 220	\$ 220
45 mph	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100	\$ 195	\$ 195	\$ 225	\$ 225	\$ 225
46 mph	\$ 105	\$ 105	\$ 105	\$ 105	\$ 105	\$ 200	\$ 200	\$ 230	\$ 230	\$ 230
47 mph	\$ 110	\$ 110	\$ 110	\$ 110	\$ 110	\$ 205	\$ 205	\$ 235	\$ 235	\$ 235
48 mph	\$ 115	\$ 115	\$ 115	\$ 115	\$ 115	\$ 210	\$ 210	\$ 240	\$ 240	\$ 240
49 mph	\$ 120	\$ 120	\$ 120	\$ 120	\$ 120	\$ 215	\$ 215	\$ 245	\$ 245	\$ 245
50 mph	\$ 125	\$ 125	\$ 125	\$ 125	\$ 125	\$ 220	\$ 220	\$ 250	\$ 250	\$ 250
51 mph	\$ 130	\$ 130	\$ 130	\$ 130	\$ 130	\$ 225	\$ 225	\$ 255	\$ 255	\$ 255
52 mph	\$ 135	\$ 135	\$ 135	\$ 135	\$ 135	\$ 230	\$ 230	\$ 260	\$ 260	\$ 260
53 mph	\$ 140	\$ 140	\$ 140	\$ 140	\$ 140	\$ 235	\$ 235	\$ 265	\$ 265	\$ 265
54 mph	\$ 145	\$ 145	\$ 145	\$ 145	\$ 145	\$ 240	\$ 240	\$ 270	\$ 270	\$ 270
55 mph	\$ 150	\$ 150	\$ 150	\$ 150	\$ 150	\$ 245	\$ 245	\$ 275	\$ 275	\$ 275

SB 2168  
Fee Schedules  
Proposal B

Speed Limit Zones	25 mph zone	35 mph zone	45 mph zone	50 mph zone	55 mph zone	60 mph zone	65 mph zone	70 mph zone	75 mph zone	80 mph zone	School zone with children	Construction zone with workers
MPH Ove	Fine	Fine	Fine	Fine	Fine	Fine	Fine	Fine	Fine	Fine	Fine	Fine
1 mph	\$ 5	\$ 5	\$ 5	\$ 5	\$ 5	\$ 2	\$ 2	\$ 5	\$ 5	\$ 5	\$ 40	\$ 80
2 mph	\$ 5	\$ 5	\$ 5	\$ 5	\$ 5	\$ 4	\$ 4	\$ 10	\$ 10	\$ 10	\$ 40	\$ 80
3 mph	\$ 5	\$ 5	\$ 5	\$ 5	\$ 5	\$ 6	\$ 6	\$ 15	\$ 15	\$ 15	\$ 40	\$ 80
4 mph	\$ 5	\$ 5	\$ 5	\$ 5	\$ 5	\$ 8	\$ 8	\$ 20	\$ 20	\$ 20	\$ 40	\$ 80
5 mph	\$ 5	\$ 5	\$ 5	\$ 5	\$ 5	\$ 10	\$ 10	\$ 25	\$ 25	\$ 25	\$ 40	\$ 80
6 mph	\$ 6	\$ 6	\$ 6	\$ 6	\$ 6	\$ 12	\$ 12	\$ 30	\$ 30	\$ 30	\$ 40	\$ 80
7 mph	\$ 7	\$ 7	\$ 7	\$ 7	\$ 7	\$ 14	\$ 14	\$ 35	\$ 35	\$ 35	\$ 40	\$ 80
8 mph	\$ 8	\$ 8	\$ 8	\$ 8	\$ 8	\$ 16	\$ 16	\$ 40	\$ 40	\$ 40	\$ 40	\$ 80
9 mph	\$ 9	\$ 9	\$ 9	\$ 9	\$ 9	\$ 18	\$ 18	\$ 45	\$ 45	\$ 45	\$ 40	\$ 80
10 mph	\$ 10	\$ 10	\$ 10	\$ 10	\$ 10	\$ 20	\$ 20	\$ 50	\$ 50	\$ 50	\$ 40	\$ 80
11 mph	\$ 11	\$ 11	\$ 11	\$ 11	\$ 11	\$ 25	\$ 25	\$ 55	\$ 55	\$ 55	\$ 41	\$ 82
12 mph	\$ 12	\$ 12	\$ 12	\$ 12	\$ 12	\$ 30	\$ 30	\$ 60	\$ 60	\$ 60	\$ 42	\$ 84
13 mph	\$ 13	\$ 13	\$ 13	\$ 13	\$ 13	\$ 35	\$ 35	\$ 65	\$ 65	\$ 65	\$ 43	\$ 86
14 mph	\$ 14	\$ 14	\$ 14	\$ 14	\$ 14	\$ 40	\$ 40	\$ 70	\$ 70	\$ 70	\$ 44	\$ 88
15 mph	\$ 15	\$ 15	\$ 15	\$ 15	\$ 15	\$ 45	\$ 45	\$ 75	\$ 75	\$ 75	\$ 45	\$ 90
16 mph	\$ 17	\$ 17	\$ 17	\$ 17	\$ 17	\$ 50	\$ 50	\$ 180	\$ 180	\$ 180	\$ 46	\$ 92
17 mph	\$ 19	\$ 19	\$ 19	\$ 55	\$ 19	\$ 55	\$ 55	\$ 185	\$ 185	\$ 185	\$ 47	\$ 94
18 mph	\$ 21	\$ 21	\$ 21	\$ 60	\$ 21	\$ 60	\$ 60	\$ 190	\$ 190	\$ 190	\$ 48	\$ 96
19 mph	\$ 23	\$ 23	\$ 23	\$ 65	\$ 23	\$ 65	\$ 65	\$ 195	\$ 195	\$ 195	\$ 49	\$ 98
20 mph	\$ 25	\$ 25	\$ 25	\$ 25	\$ 25	\$ 70	\$ 70	\$ 200	\$ 200	\$ 200	\$ 50	\$ 100
21 mph	\$ 128	\$ 128	\$ 128	\$ 128	\$ 128	\$ 175	\$ 175	\$ 205	\$ 205	\$ 205	\$ 151	\$ 202
22 mph	\$ 131	\$ 131	\$ 131	\$ 131	\$ 131	\$ 180	\$ 180	\$ 210	\$ 210	\$ 210	\$ 152	\$ 204
23 mph	\$ 134	\$ 134	\$ 134	\$ 134	\$ 134	\$ 185	\$ 185	\$ 215	\$ 215	\$ 215	\$ 153	\$ 206
24 mph	\$ 137	\$ 137	\$ 137	\$ 137	\$ 137	\$ 190	\$ 190	\$ 220	\$ 220	\$ 220	\$ 154	\$ 208
25 mph	\$ 140	\$ 140	\$ 140	\$ 140	\$ 140	\$ 195	\$ 195	\$ 225	\$ 225	\$ 225	\$ 155	\$ 210
26 mph	\$ 143	\$ 143	\$ 143	\$ 143	\$ 143	\$ 200	\$ 200	\$ 230	\$ 230	\$ 230	\$ 156	\$ 212
27 mph	\$ 146	\$ 146	\$ 146	\$ 146	\$ 146	\$ 205	\$ 205	\$ 235	\$ 235	\$ 235	\$ 157	\$ 214
28 mph	\$ 149	\$ 149	\$ 149	\$ 149	\$ 149	\$ 210	\$ 210	\$ 240	\$ 240	\$ 240	\$ 158	\$ 216
29 mph	\$ 152	\$ 152	\$ 152	\$ 152	\$ 152	\$ 215	\$ 215	\$ 245	\$ 245	\$ 245	\$ 159	\$ 218
30 mph	\$ 155	\$ 155	\$ 155	\$ 155	\$ 155	\$ 220	\$ 220	\$ 250	\$ 250	\$ 250	\$ 160	\$ 220
31 mph	\$ 158	\$ 158	\$ 158	\$ 158	\$ 158	\$ 225	\$ 225	\$ 255	\$ 255	\$ 255	\$ 161	\$ 222
32 mph	\$ 161	\$ 161	\$ 161	\$ 161	\$ 161	\$ 230	\$ 230	\$ 260	\$ 260	\$ 260	\$ 162	\$ 224
33 mph	\$ 164	\$ 164	\$ 164	\$ 164	\$ 164	\$ 235	\$ 235	\$ 265	\$ 265	\$ 265	\$ 163	\$ 226
34 mph	\$ 167	\$ 167	\$ 167	\$ 167	\$ 167	\$ 240	\$ 240	\$ 270	\$ 270	\$ 270	\$ 164	\$ 228
35 mph	\$ 170	\$ 170	\$ 170	\$ 170	\$ 170	\$ 245	\$ 245	\$ 275	\$ 275	\$ 275	\$ 165	\$ 230
36 mph	\$ 173	\$ 173	\$ 173	\$ 173	\$ 173	\$ 250	\$ 250	\$ 280	\$ 280	\$ 280	\$ 166	\$ 232
37 mph	\$ 176	\$ 176	\$ 176	\$ 176	\$ 176	\$ 255	\$ 255	\$ 285	\$ 285	\$ 285	\$ 167	\$ 234
38 mph	\$ 179	\$ 179	\$ 179	\$ 179	\$ 179	\$ 260	\$ 260	\$ 290	\$ 290	\$ 290	\$ 168	\$ 236
39 mph	\$ 182	\$ 182	\$ 182	\$ 182	\$ 182	\$ 265	\$ 265	\$ 295	\$ 295	\$ 295	\$ 169	\$ 238
40 mph	\$ 185	\$ 185	\$ 185	\$ 185	\$ 185	\$ 270	\$ 270	\$ 300	\$ 300	\$ 300	\$ 170	\$ 240
41 mph	\$ 188	\$ 188	\$ 188	\$ 188	\$ 188	\$ 275	\$ 275	\$ 305	\$ 305	\$ 305	\$ 171	\$ 242
42 mph	\$ 191	\$ 191	\$ 191	\$ 191	\$ 191	\$ 280	\$ 280	\$ 310	\$ 310	\$ 310	\$ 172	\$ 244
43 mph	\$ 194	\$ 194	\$ 194	\$ 194	\$ 194	\$ 285	\$ 285	\$ 315	\$ 315	\$ 315	\$ 173	\$ 246
44 mph	\$ 197	\$ 197	\$ 197	\$ 197	\$ 197	\$ 290	\$ 290	\$ 320	\$ 320	\$ 320	\$ 174	\$ 248
45 mph	\$ 200	\$ 200	\$ 200	\$ 200	\$ 200	\$ 295	\$ 295	\$ 325	\$ 325	\$ 325	\$ 175	\$ 250
46 mph	\$ 205	\$ 205	\$ 205	\$ 205	\$ 205	\$ 300	\$ 300	\$ 330	\$ 330	\$ 330	\$ 176	\$ 252
47 mph	\$ 210	\$ 210	\$ 210	\$ 210	\$ 210	\$ 305	\$ 305	\$ 335	\$ 335	\$ 335	\$ 177	\$ 254
48 mph	\$ 215	\$ 215	\$ 215	\$ 215	\$ 215	\$ 310	\$ 310	\$ 340	\$ 340	\$ 340	\$ 178	\$ 256
49 mph	\$ 220	\$ 220	\$ 220	\$ 220	\$ 220	\$ 315	\$ 315	\$ 345	\$ 345	\$ 345	\$ 179	\$ 258
50 mph	\$ 225	\$ 225	\$ 225	\$ 225	\$ 225	\$ 320	\$ 320	\$ 350	\$ 350	\$ 350	\$ 180	\$ 260
51 mph	\$ 230	\$ 230	\$ 230	\$ 230	\$ 230	\$ 325	\$ 325	\$ 355	\$ 355	\$ 355	\$ 181	\$ 262
52 mph	\$ 235	\$ 235	\$ 235	\$ 235	\$ 235	\$ 330	\$ 330	\$ 360	\$ 360	\$ 360	\$ 182	\$ 264
53 mph	\$ 240	\$ 240	\$ 240	\$ 240	\$ 240	\$ 335	\$ 335	\$ 365	\$ 365	\$ 365	\$ 183	\$ 266
54 mph	\$ 245	\$ 245	\$ 245	\$ 245	\$ 245	\$ 340	\$ 340	\$ 370	\$ 370	\$ 370	\$ 184	\$ 268
55 mph	\$ 250	\$ 250	\$ 250	\$ 250	\$ 250	\$ 345	\$ 345	\$ 375	\$ 375	\$ 375	\$ 185	\$ 270

+\$100 at 16 + mph over

+\$100 at 21 + mph over

SB 2168  
Fee Schedules  
Proposal B.1

Speed Limit Zones	25 mph zone	35 mph zone	45 mph zone	50 mph zone	55 mph zone	60 mph zone	65 mph zone	70 mph zone	75 mph zone	80 mph zone	School zone with children	Construction zone with workers
MPH Over	Fine	Fine	Fine	Fine	Fine	Fine	Fine	Fine	Fine	Fine	Fine	Fine
1 mph	\$ 2	\$ 2	\$ 2	\$ 2	\$ 2	\$ 2	\$ 2	\$ 5	\$ 5	\$ 5	\$ 40	\$ 80
2 mph	\$ 4	\$ 4	\$ 4	\$ 4	\$ 4	\$ 4	\$ 4	\$ 10	\$ 10	\$ 10	\$ 40	\$ 80
3 mph	\$ 6	\$ 6	\$ 6	\$ 6	\$ 6	\$ 6	\$ 6	\$ 15	\$ 15	\$ 15	\$ 40	\$ 80
4 mph	\$ 8	\$ 8	\$ 8	\$ 8	\$ 8	\$ 8	\$ 8	\$ 20	\$ 20	\$ 20	\$ 40	\$ 80
5 mph	\$ 10	\$ 10	\$ 10	\$ 10	\$ 10	\$ 10	\$ 10	\$ 25	\$ 25	\$ 25	\$ 40	\$ 80
6 mph	\$ 12	\$ 12	\$ 12	\$ 12	\$ 12	\$ 12	\$ 12	\$ 30	\$ 30	\$ 30	\$ 40	\$ 80
7 mph	\$ 14	\$ 14	\$ 14	\$ 14	\$ 14	\$ 14	\$ 14	\$ 35	\$ 35	\$ 35	\$ 40	\$ 80
8 mph	\$ 16	\$ 16	\$ 16	\$ 16	\$ 16	\$ 16	\$ 16	\$ 40	\$ 40	\$ 40	\$ 40	\$ 80
9 mph	\$ 18	\$ 18	\$ 18	\$ 18	\$ 18	\$ 18	\$ 18	\$ 45	\$ 45	\$ 45	\$ 40	\$ 80
10 mph	\$ 20	\$ 20	\$ 20	\$ 20	\$ 20	\$ 20	\$ 20	\$ 50	\$ 50	\$ 50	\$ 40	\$ 80
11 mph	\$ 25	\$ 25	\$ 25	\$ 25	\$ 25	\$ 25	\$ 25	\$ 55	\$ 55	\$ 55	\$ 41	\$ 82
12 mph	\$ 30	\$ 30	\$ 30	\$ 30	\$ 30	\$ 30	\$ 30	\$ 60	\$ 60	\$ 60	\$ 42	\$ 84
13 mph	\$ 35	\$ 35	\$ 35	\$ 35	\$ 35	\$ 35	\$ 35	\$ 65	\$ 65	\$ 65	\$ 43	\$ 86
14 mph	\$ 40	\$ 40	\$ 40	\$ 40	\$ 40	\$ 40	\$ 40	\$ 70	\$ 70	\$ 70	\$ 44	\$ 88
15 mph	\$ 45	\$ 45	\$ 45	\$ 45	\$ 45	\$ 45	\$ 45	\$ 75	\$ 75	\$ 75	\$ 45	\$ 90
16 mph	\$ 50	\$ 50	\$ 50	\$ 50	\$ 50	\$ 50	\$ 50	\$ 180	\$ 180	\$ 180	\$ 46	\$ 92
17 mph	\$ 55	\$ 55	\$ 55	\$ 55	\$ 55	\$ 55	\$ 55	\$ 185	\$ 185	\$ 185	\$ 47	\$ 94
18 mph	\$ 60	\$ 60	\$ 60	\$ 60	\$ 60	\$ 60	\$ 60	\$ 190	\$ 190	\$ 190	\$ 48	\$ 96
19 mph	\$ 65	\$ 65	\$ 65	\$ 65	\$ 65	\$ 65	\$ 65	\$ 195	\$ 195	\$ 195	\$ 49	\$ 98
20 mph	\$ 70	\$ 70	\$ 70	\$ 70	\$ 70	\$ 70	\$ 70	\$ 200	\$ 200	\$ 200	\$ 50	\$ 100
21 mph	\$ 175	\$ 175	\$ 175	\$ 175	\$ 175	\$ 175	\$ 175	\$ 205	\$ 205	\$ 205	\$ 151	\$ 202
22 mph	\$ 180	\$ 180	\$ 180	\$ 180	\$ 180	\$ 180	\$ 180	\$ 210	\$ 210	\$ 210	\$ 152	\$ 204
23 mph	\$ 185	\$ 185	\$ 185	\$ 185	\$ 185	\$ 185	\$ 185	\$ 215	\$ 215	\$ 215	\$ 153	\$ 206
24 mph	\$ 190	\$ 190	\$ 190	\$ 190	\$ 190	\$ 190	\$ 190	\$ 220	\$ 220	\$ 220	\$ 154	\$ 208
25 mph	\$ 195	\$ 195	\$ 195	\$ 195	\$ 195	\$ 195	\$ 195	\$ 225	\$ 225	\$ 225	\$ 155	\$ 210
26 mph	\$ 200	\$ 200	\$ 200	\$ 200	\$ 200	\$ 200	\$ 200	\$ 230	\$ 230	\$ 230	\$ 156	\$ 212
27 mph	\$ 205	\$ 205	\$ 205	\$ 205	\$ 205	\$ 205	\$ 205	\$ 235	\$ 235	\$ 235	\$ 157	\$ 214
28 mph	\$ 210	\$ 210	\$ 210	\$ 210	\$ 210	\$ 210	\$ 210	\$ 240	\$ 240	\$ 240	\$ 158	\$ 216
29 mph	\$ 215	\$ 215	\$ 215	\$ 215	\$ 215	\$ 215	\$ 215	\$ 245	\$ 245	\$ 245	\$ 159	\$ 218
30 mph	\$ 220	\$ 220	\$ 220	\$ 220	\$ 220	\$ 220	\$ 220	\$ 250	\$ 250	\$ 250	\$ 160	\$ 220
31 mph	\$ 225	\$ 225	\$ 225	\$ 225	\$ 225	\$ 225	\$ 225	\$ 255	\$ 255	\$ 255	\$ 161	\$ 222
32 mph	\$ 230	\$ 230	\$ 230	\$ 230	\$ 230	\$ 230	\$ 230	\$ 260	\$ 260	\$ 260	\$ 162	\$ 224
33 mph	\$ 235	\$ 235	\$ 235	\$ 235	\$ 235	\$ 235	\$ 235	\$ 265	\$ 265	\$ 265	\$ 163	\$ 226
34 mph	\$ 240	\$ 240	\$ 240	\$ 240	\$ 240	\$ 240	\$ 240	\$ 270	\$ 270	\$ 270	\$ 164	\$ 228
35 mph	\$ 245	\$ 245	\$ 245	\$ 245	\$ 245	\$ 245	\$ 245	\$ 275	\$ 275	\$ 275	\$ 165	\$ 230
36 mph	\$ 250	\$ 250	\$ 250	\$ 250	\$ 250	\$ 250	\$ 250	\$ 280	\$ 280	\$ 280	\$ 166	\$ 232
37 mph	\$ 255	\$ 255	\$ 255	\$ 255	\$ 255	\$ 255	\$ 255	\$ 285	\$ 285	\$ 285	\$ 167	\$ 234
38 mph	\$ 260	\$ 260	\$ 260	\$ 260	\$ 260	\$ 260	\$ 260	\$ 290	\$ 290	\$ 290	\$ 168	\$ 236
39 mph	\$ 265	\$ 265	\$ 265	\$ 265	\$ 265	\$ 265	\$ 265	\$ 295	\$ 295	\$ 295	\$ 169	\$ 238
40 mph	\$ 270	\$ 270	\$ 270	\$ 270	\$ 270	\$ 270	\$ 270	\$ 300	\$ 300	\$ 300	\$ 170	\$ 240
41 mph	\$ 275	\$ 275	\$ 275	\$ 275	\$ 275	\$ 275	\$ 275	\$ 305	\$ 305	\$ 305	\$ 171	\$ 242
42 mph	\$ 280	\$ 280	\$ 280	\$ 280	\$ 280	\$ 280	\$ 280	\$ 310	\$ 310	\$ 310	\$ 172	\$ 244
43 mph	\$ 285	\$ 285	\$ 285	\$ 285	\$ 285	\$ 285	\$ 285	\$ 315	\$ 315	\$ 315	\$ 173	\$ 246
44 mph	\$ 290	\$ 290	\$ 290	\$ 290	\$ 290	\$ 290	\$ 290	\$ 320	\$ 320	\$ 320	\$ 174	\$ 248
45 mph	\$ 295	\$ 295	\$ 295	\$ 295	\$ 295	\$ 295	\$ 295	\$ 325	\$ 325	\$ 325	\$ 175	\$ 250
46 mph	\$ 300	\$ 300	\$ 300	\$ 300	\$ 300	\$ 300	\$ 300	\$ 330	\$ 330	\$ 330	\$ 176	\$ 252
47 mph	\$ 305	\$ 305	\$ 305	\$ 305	\$ 305	\$ 305	\$ 305	\$ 335	\$ 335	\$ 335	\$ 177	\$ 254
48 mph	\$ 310	\$ 310	\$ 310	\$ 310	\$ 310	\$ 310	\$ 310	\$ 340	\$ 340	\$ 340	\$ 178	\$ 256
49 mph	\$ 315	\$ 315	\$ 315	\$ 315	\$ 315	\$ 315	\$ 315	\$ 345	\$ 345	\$ 345	\$ 179	\$ 258
50 mph	\$ 320	\$ 320	\$ 320	\$ 320	\$ 320	\$ 320	\$ 320	\$ 350	\$ 350	\$ 350	\$ 180	\$ 260
51 mph	\$ 325	\$ 325	\$ 325	\$ 325	\$ 325	\$ 325	\$ 325	\$ 355	\$ 355	\$ 355	\$ 181	\$ 262
52 mph	\$ 330	\$ 330	\$ 330	\$ 330	\$ 330	\$ 330	\$ 330	\$ 360	\$ 360	\$ 360	\$ 182	\$ 264
53 mph	\$ 335	\$ 335	\$ 335	\$ 335	\$ 335	\$ 335	\$ 335	\$ 365	\$ 365	\$ 365	\$ 183	\$ 266
54 mph	\$ 340	\$ 340	\$ 340	\$ 340	\$ 340	\$ 340	\$ 340	\$ 370	\$ 370	\$ 370	\$ 184	\$ 268
55 mph	\$ 345	\$ 345	\$ 345	\$ 345	\$ 345	\$ 345	\$ 345	\$ 375	\$ 375	\$ 375	\$ 185	\$ 270

+ \$100 at 16 + mph over

+ \$100 at 21 + mph over

SB 2168  
Fee Schedules  
Proposal B.2

Speed Limit Zones	25 mph zone	35 mph zone	45 mph zone	50 mph zone	55 mph zone	60 mph zone	65 mph zone	70 mph zone	75 mph zone	80 mph zone	School zone with children	Construction zone with workers
MPH Over	Fine	Fine	Fine	Fine	Fine	Fine	Fine	Fine	Fine	Fine	Fine	Fine
1 mph	\$ 2	\$ 2	\$ 2	\$ 2	\$ 5	\$ 5	\$ 5	\$ 5	\$ 5	\$ 5	\$ 40	\$ 80
2 mph	\$ 4	\$ 4	\$ 4	\$ 4	\$ 10	\$ 10	\$ 10	\$ 10	\$ 10	\$ 10	\$ 40	\$ 80
3 mph	\$ 6	\$ 6	\$ 6	\$ 6	\$ 15	\$ 15	\$ 15	\$ 15	\$ 15	\$ 15	\$ 40	\$ 80
4 mph	\$ 8	\$ 8	\$ 8	\$ 8	\$ 20	\$ 20	\$ 20	\$ 20	\$ 20	\$ 20	\$ 40	\$ 80
5 mph	\$ 10	\$ 10	\$ 10	\$ 10	\$ 25	\$ 25	\$ 25	\$ 25	\$ 25	\$ 25	\$ 40	\$ 80
6 mph	\$ 12	\$ 12	\$ 12	\$ 12	\$ 30	\$ 30	\$ 30	\$ 30	\$ 30	\$ 30	\$ 40	\$ 80
7 mph	\$ 14	\$ 14	\$ 14	\$ 14	\$ 35	\$ 35	\$ 35	\$ 35	\$ 35	\$ 35	\$ 40	\$ 80
8 mph	\$ 16	\$ 16	\$ 16	\$ 16	\$ 40	\$ 40	\$ 40	\$ 40	\$ 40	\$ 40	\$ 40	\$ 80
9 mph	\$ 18	\$ 18	\$ 18	\$ 18	\$ 45	\$ 45	\$ 45	\$ 45	\$ 45	\$ 45	\$ 40	\$ 80
10 mph	\$ 20	\$ 20	\$ 20	\$ 20	\$ 50	\$ 50	\$ 50	\$ 50	\$ 50	\$ 50	\$ 40	\$ 80
11 mph	\$ 25	\$ 25	\$ 25	\$ 25	\$ 55	\$ 55	\$ 55	\$ 55	\$ 55	\$ 55	\$ 41	\$ 82
12 mph	\$ 30	\$ 30	\$ 30	\$ 30	\$ 60	\$ 60	\$ 60	\$ 60	\$ 60	\$ 60	\$ 42	\$ 84
13 mph	\$ 35	\$ 35	\$ 35	\$ 35	\$ 65	\$ 65	\$ 65	\$ 65	\$ 65	\$ 65	\$ 43	\$ 86
14 mph	\$ 40	\$ 40	\$ 40	\$ 40	\$ 70	\$ 70	\$ 70	\$ 70	\$ 70	\$ 70	\$ 44	\$ 88
15 mph	\$ 45	\$ 45	\$ 45	\$ 45	\$ 75	\$ 75	\$ 75	\$ 75	\$ 75	\$ 75	\$ 45	\$ 90
16 mph	\$ 50	\$ 50	\$ 50	\$ 50	\$ 180	\$ 180	\$ 180	\$ 180	\$ 180	\$ 180	\$ 46	\$ 92
17 mph	\$ 55	\$ 55	\$ 55	\$ 55	\$ 185	\$ 185	\$ 185	\$ 185	\$ 185	\$ 185	\$ 47	\$ 94
18 mph	\$ 60	\$ 60	\$ 60	\$ 60	\$ 190	\$ 190	\$ 190	\$ 190	\$ 190	\$ 190	\$ 48	\$ 96
19 mph	\$ 65	\$ 65	\$ 65	\$ 65	\$ 195	\$ 195	\$ 195	\$ 195	\$ 195	\$ 195	\$ 49	\$ 98
20 mph	\$ 70	\$ 70	\$ 70	\$ 70	\$ 200	\$ 200	\$ 200	\$ 200	\$ 200	\$ 200	\$ 50	\$ 100
21 mph	\$ 175	\$ 175	\$ 175	\$ 175	\$ 205	\$ 205	\$ 205	\$ 205	\$ 205	\$ 205	\$ 151	\$ 202
22 mph	\$ 180	\$ 180	\$ 180	\$ 180	\$ 210	\$ 210	\$ 210	\$ 210	\$ 210	\$ 210	\$ 152	\$ 204
23 mph	\$ 185	\$ 185	\$ 185	\$ 185	\$ 215	\$ 215	\$ 215	\$ 215	\$ 215	\$ 215	\$ 153	\$ 206
24 mph	\$ 190	\$ 190	\$ 190	\$ 190	\$ 220	\$ 220	\$ 220	\$ 220	\$ 220	\$ 220	\$ 154	\$ 208
25 mph	\$ 195	\$ 195	\$ 195	\$ 195	\$ 225	\$ 225	\$ 225	\$ 225	\$ 225	\$ 225	\$ 155	\$ 210
26 mph	\$ 200	\$ 200	\$ 200	\$ 200	\$ 230	\$ 230	\$ 230	\$ 230	\$ 230	\$ 230	\$ 156	\$ 212
27 mph	\$ 205	\$ 205	\$ 205	\$ 205	\$ 235	\$ 235	\$ 235	\$ 235	\$ 235	\$ 235	\$ 157	\$ 214
28 mph	\$ 210	\$ 210	\$ 210	\$ 210	\$ 240	\$ 240	\$ 240	\$ 240	\$ 240	\$ 240	\$ 158	\$ 216
29 mph	\$ 215	\$ 215	\$ 215	\$ 215	\$ 245	\$ 245	\$ 245	\$ 245	\$ 245	\$ 245	\$ 159	\$ 218
30 mph	\$ 220	\$ 220	\$ 220	\$ 220	\$ 250	\$ 250	\$ 250	\$ 250	\$ 250	\$ 250	\$ 160	\$ 220
31 mph	\$ 225	\$ 225	\$ 225	\$ 225	\$ 255	\$ 255	\$ 255	\$ 255	\$ 255	\$ 255	\$ 161	\$ 222
32 mph	\$ 230	\$ 230	\$ 230	\$ 230	\$ 260	\$ 260	\$ 260	\$ 260	\$ 260	\$ 260	\$ 162	\$ 224
33 mph	\$ 235	\$ 235	\$ 235	\$ 235	\$ 265	\$ 265	\$ 265	\$ 265	\$ 265	\$ 265	\$ 163	\$ 226
34 mph	\$ 240	\$ 240	\$ 240	\$ 240	\$ 270	\$ 270	\$ 270	\$ 270	\$ 270	\$ 270	\$ 164	\$ 228
35 mph	\$ 245	\$ 245	\$ 245	\$ 245	\$ 275	\$ 275	\$ 275	\$ 275	\$ 275	\$ 275	\$ 165	\$ 230
36 mph	\$ 250	\$ 250	\$ 250	\$ 250	\$ 280	\$ 280	\$ 280	\$ 280	\$ 280	\$ 280	\$ 166	\$ 232
37 mph	\$ 255	\$ 255	\$ 255	\$ 255	\$ 285	\$ 285	\$ 285	\$ 285	\$ 285	\$ 285	\$ 167	\$ 234
38 mph	\$ 260	\$ 260	\$ 260	\$ 260	\$ 290	\$ 290	\$ 290	\$ 290	\$ 290	\$ 290	\$ 168	\$ 236
39 mph	\$ 265	\$ 265	\$ 265	\$ 265	\$ 295	\$ 295	\$ 295	\$ 295	\$ 295	\$ 295	\$ 169	\$ 238
40 mph	\$ 270	\$ 270	\$ 270	\$ 270	\$ 300	\$ 300	\$ 300	\$ 300	\$ 300	\$ 300	\$ 170	\$ 240
41 mph	\$ 275	\$ 275	\$ 275	\$ 275	\$ 305	\$ 305	\$ 305	\$ 305	\$ 305	\$ 305	\$ 171	\$ 242
42 mph	\$ 280	\$ 280	\$ 280	\$ 280	\$ 310	\$ 310	\$ 310	\$ 310	\$ 310	\$ 310	\$ 172	\$ 244
43 mph	\$ 285	\$ 285	\$ 285	\$ 285	\$ 315	\$ 315	\$ 315	\$ 315	\$ 315	\$ 315	\$ 173	\$ 246
44 mph	\$ 290	\$ 290	\$ 290	\$ 290	\$ 320	\$ 320	\$ 320	\$ 320	\$ 320	\$ 320	\$ 174	\$ 248
45 mph	\$ 295	\$ 295	\$ 295	\$ 295	\$ 325	\$ 325	\$ 325	\$ 325	\$ 325	\$ 325	\$ 175	\$ 250
46 mph	\$ 300	\$ 300	\$ 300	\$ 300	\$ 330	\$ 330	\$ 330	\$ 330	\$ 330	\$ 330	\$ 176	\$ 252
47 mph	\$ 305	\$ 305	\$ 305	\$ 305	\$ 335	\$ 335	\$ 335	\$ 335	\$ 335	\$ 335	\$ 177	\$ 254
48 mph	\$ 310	\$ 310	\$ 310	\$ 310	\$ 340	\$ 340	\$ 340	\$ 340	\$ 340	\$ 340	\$ 178	\$ 256
49 mph	\$ 315	\$ 315	\$ 315	\$ 315	\$ 345	\$ 345	\$ 345	\$ 345	\$ 345	\$ 345	\$ 179	\$ 258
50 mph	\$ 320	\$ 320	\$ 320	\$ 320	\$ 350	\$ 350	\$ 350	\$ 350	\$ 350	\$ 350	\$ 180	\$ 260
51 mph	\$ 325	\$ 325	\$ 325	\$ 325	\$ 355	\$ 355	\$ 355	\$ 355	\$ 355	\$ 355	\$ 181	\$ 262
52 mph	\$ 330	\$ 330	\$ 330	\$ 330	\$ 360	\$ 360	\$ 360	\$ 360	\$ 360	\$ 360	\$ 182	\$ 264
53 mph	\$ 335	\$ 335	\$ 335	\$ 335	\$ 365	\$ 365	\$ 365	\$ 365	\$ 365	\$ 365	\$ 183	\$ 266
54 mph	\$ 340	\$ 340	\$ 340	\$ 340	\$ 370	\$ 370	\$ 370	\$ 370	\$ 370	\$ 370	\$ 184	\$ 268
55 mph	\$ 345	\$ 345	\$ 345	\$ 345	\$ 375	\$ 375	\$ 375	\$ 375	\$ 375	\$ 375	\$ 185	\$ 270

+ \$100 at 16 + mph over

+ \$100 at 21 + mph over

## PROPOSED AMENDMENT TO House Bill No. 2168

Page 1, after line 5 add "**Section 1. AMENDMENT.** Section 39-06.1-06 of the North Dakota Century Code is amended and reenacted as follows:

### **39-06.1-06. Amount of statutory fees.**

The fees required for a noncriminal disposition under section 39-06.1-02 or 39-06.1-03 must be as follows:

1. For a nonmoving violation as defined in section 39-06.1-08, a fee of twenty dollars except for a violation of any traffic parking regulation on any state charitable or penal institution property or on the state capitol grounds, a fee in the amount of five dollars, excluding a violation of subsection 11 of section 39-01-15.
2. For a moving violation as defined in section 39-06.1-09, a fee of twenty dollars, except for:
  - a. A violation of section 39-10-26, 39-10-26.2, 39-10-41, or 39-10-42, a fee of fifty dollars.
  - b. A violation of section 39-10-05 involving failure to yield to a pedestrian or subsection 1 of section 39-10-28, a fee of fifty dollars.
  - c. A violation of section 39-21-41.2, a fee of twenty-five dollars.
  - d. A violation of subsection 1 of section 39-12-02, section 39-08-23, or section 39-08-25, a fee of one hundred dollars.
  - e. A violation of subdivision d of subsection 1 of section 39-12-04, a fee of one hundred dollars.
  - f. A violation of subsection 6 of section 39-04-37, a fee of one hundred dollars.
  - g. A violation of subsection 2 of section 39-10-21.1, a fee of two hundred fifty dollars.
  - h. A violation of section 39-10-59, a fee of five hundred dollars.
  - i. A violation of section 39-09-01, a fee of thirty dollars.
  - j. A violation of section 39-09-01.1, a fee of thirty dollars.
  - k. A violation of section 39-10-46 or 39-10-46.1, a fee of one hundred dollars.

l. A violation of subsection 1 of section 39-08-20, one hundred fifty dollars for a first violation and three hundred dollars for a second or subsequent violation in three years.

m. A violation of section 39-10-24 or 39-10-44, a fee of forty dollars.

n. A violation of section 39-10-50.1, a fee of fifty dollars.

o. A violation of section 39-19-03, a fee of fifty dollars.

3. For a violation of section 39-21-44 or a rule adopted under that section, a fee of two hundred fifty dollars.

4. ~~Except as provided in subsections 5 and 7, for a violation of section 39-09-02, or an equivalent ordinance, a fee established as follows:~~

Miles per hour over lawful speed limit	Fee
<del>1 - 5</del>	<del>\$ 5</del>
<del>6 - 10</del>	<del>\$ 5 plus \$1/each mph over 5 mph over limit</del>
<del>11 - 15</del>	<del>\$ 10 plus \$1/each mph over 10 mph over limit</del>
<del>16 - 20</del>	<del>\$ 15 plus \$2/each mph over 15 mph over limit</del>
<del>21 - 25</del>	<del>\$ 25 plus \$3/each mph over 20 mph over limit</del>
<del>26 - 35</del>	<del>\$ 40 plus \$3/each mph over 25 mph over limit</del>
<del>36 - 45</del>	<del>\$ 70 plus \$3/each mph over 35 mph over limit</del>
<del>46 +</del>	<del>\$100 plus \$5/each mph over 45 mph over limit</del>

~~5. 4.~~ On a highway on which the speed limit is a speed ~~higher than fifty of sixty-five~~ miles [88.51 kilometers] an hour and lower, for a violation of section 39-09-02, or an equivalent ordinance, a fee established as follows:

Miles per hour over lawful speed limit	Fee
<del>1 - 10</del>	<del>\$2/each mph over limit</del>
<del>11 +</del>	<del>\$20 plus \$5/each mph over 10 mph over limit</del>

~~6. 5.~~ For a violation of section 39-06.2-10.9 or subsection 3 of section 39-21-46, a fee established as follows:

a. Driving more than eleven hours since the last ten hours off duty, driving after fourteen hours on duty since the last ten hours off duty, driving after sixty hours on duty in seven days or seventy hours in eight days, no record of duty status or log book in possession, failing to retain previous seven-day record of duty status or log book, or operating a vehicle with four to six out-of-service defects, one hundred dollars;

b. False record of duty status or log book or operating a vehicle with seven to nine out-of-service defects, two hundred fifty dollars;

c. Operating a vehicle after driver placed out of service, operating a vehicle with ten or more out-of-service defects, or operating a vehicle that has been placed out of service prior to its repair, five hundred dollars; and

d. All other violations of motor carrier safety rules adopted under subsection 3 of section 39-21-46, fifty dollars.

~~7.~~ 6. On a highway on which the speed limit is posted in excess of sixty-five miles [104.61 kilometers] an hour, for a violation of section 39-09-02, or equivalent ordinance, a fee of five dollars for each mile per hour over the limit.

~~8.~~ 7. For a violation of a school zone speed limit under subdivision b of subsection 1 of section 39-09-02, a fee of forty dollars for one through ten miles per hour over the posted speed; and forty dollars, plus one dollar for each additional mile per hour over ten miles per hour over the limit unless a greater fee would be applicable under this section.

~~9.~~ 8. For a violation of a highway construction zone speed limit under subsection 2 of section 39-09-02, a fee of eighty dollars for one through ten miles per hour over the posted speed; and eighty dollars plus two dollars for each mile per hour over ten miles per hour over the limit, unless a greater fee would be applicable under this section. The fee in this subsection does not apply to a highway construction zone unless individuals engaged in construction are present at the time and place of the violation and the posted speed limit sign states "Minimum Fee \$80".

Page 1, line 6, after "**SECTION**", replace "**1**" with "**2**"

Page 1, line 8, after "4,", remove "5,"

Page 1, line 8 replace "7, 8, and 9" with "6, 7, and 8"

Page 1, line 9, after "more" add "in a speed zone of less than seventy-five miles [120.7 kilometers] an hour"

Page 1, line 10, after "hundred" replace "percent" with "dollars"

Page 1, line 10 after "percent." add "If a violation of subsection 6 is for exceeding the speed limit by sixteen miles [25.74 kilometers] an hour or more in a speed zone of seventy-five miles [120.7 kilometers] an hour or greater, the specified fee is increased by one hundred dollars."

Sixty-eighth  
Legislative Assembly  
of North Dakota

**SENATE BILL NO.**

Introduced by

Senators

Representatives

1 A BILL for an Act to amend and reenact section 39-21-41.4 of the North Dakota Century Code,  
2 relating to safety belt usage;  
3 and to provide a penalty.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. AMENDMENT.** Section 39-21-41.4 of the North Dakota Century Code is  
6 amended and reenacted as follows:

7 **39-21-41.4. Use of safety belts required in certain motor vehicles - Enforcement -**  
8 **Evidence.**

- 9 1. Subject to the limitations of this section and section 39-21-41.5, a driver may not  
10 operate upon a highway a motor vehicle designed for carrying fewer than eleven  
11 passengers, which was originally manufactured with safety belts unless each front-  
12 seat occupant is wearing a properly adjusted and fastened safety belt.
- 13 2. This section does not apply to a child in a child restraint or safety belt in accordance  
14 with section 39-21-41.2; to drivers of implements of husbandry; to operators of farm  
15 vehicles as defined in subsection 5 of section 39-04-19; to rural mail carriers while on  
16 duty delivering mail; to an occupant with a medical or physically disabling condition  
17 that prevents appropriate restraint in a safety belt, if a qualified physician, physician  
18 assistant, or advanced practice registered nurse states in a signed writing the nature  
19 of the condition and the reason restraint is inappropriate; or when all front-seat safety  
20 belts are in use by other occupants. A physician, physician assistant, or advanced  
21 practice registered nurse who, in good faith, provides a statement that restraint would  
22 be inappropriate is not subject to civil liability.

23  
24



Sixty-eighth  
Legislative Assembly

- 1     3. The use or nonuse of a safety belt:
- 2         a. May not be used in any action as evidence of fault:
- 3         b. Is not, in itself, evidence of negligence; and
- 4         c. Is not admissible in any proceedings other than one charging the violation.
- 5     4. The fee imposed for a violation of this section must be issued to:
- 6         a. The driver if the violation is by the driver or a passenger who is a minor; or
- 7         b. The adult passenger if the violation was by an adult passenger.

## Koppelman, Ben

---

**From:** Solberg, Col. Brandon J. <bjsolberg@nd.gov>  
**Sent:** Thursday, March 30, 2023 6:04 PM  
**To:** Koppelman, Ben  
**Cc:** Kadrmas, Sgt. Wade R.  
**Subject:** House Transportation Subcommittee Follow-Up  
**Attachments:** HB 1193.pdf; Variable Speed Limit Proposal.docx

Hello Representative Koppelman,

I wanted to share a few notes below as you finalize SB 2168 and SB 2169 in your subcommittee. I'll carbon copy Sgt. Wade Kadrmas to keep him in the loop.

### Variable Speed Limits

As we discussed, commercial motor vehicle traffic is one of the biggest issues when trying to keep roads open. One jackknifed CMV can back up traffic and cause road closures. One option would be to explore restricting CMV traffic during storms as we currently do for oversize loads, but another option would be to install variable speed limits similar to Wyoming to try to control the speed of all traffic.

Attached is some proposed language that could help clean up authority to implement variable speed limits (see "Variable Speed Limit Proposal.docx"). This language may not be needed, but I said that I'd offer some sort of proposal.

The larger issue may be the costs involved to purchase and install digital signs. For example, DOT estimated that it would cost \$4-5 million to transition to all digital signs along the interstate system. These signs would require power and network connections. In comparison, a rough estimate to swap out all regular speed limit signs to 80 mph could cost around \$250,000.

### Road Closure Authority

We discussed the authority to close roads, and I wanted to clarify the difference between law enforcement and DOT:

- Law enforcement "**may** post appropriate official traffic-control devices" under 39-10-21.1 (this authority is more for shorter-term hazardous road conditions).
- DOT must post "suitable signs" and "barricades, fences, or other obstructions" under 24-03-05 (this authority is under the chapter related to road construction and maintenance and is likely for more longer-term closures).

North Dakota has the highest number of road miles per capita (over 106,000 miles) so it would be impossible to set up barricades at the entry points of every roadway. There isn't enough equipment to pull this off nor human resources available (e.g., law enforcement officers would be responding to calls, and snowplow operators would be treating roads).

### Travel Information Map

We discussed the travel information map being a primary resource for public notifications, and I obtained the following statistics from DOT:

- Over the last 12 months (April 1, 2022, to March 30, 2023), the ND Roads website/app had:
  - 66,994,531 page views (the times someone accessed the website)
  - 43,843,723 map views ( the times someone viewed the map itself)
  - 2,796,652 users (the number of unique users accessing the map)
- During a recent storm event from March 17-19, 2023, the ND Roads website/app had:
  - 3,851,462 page views
  - 2,402,315 map views
  - 478,546 unique users

These stats show that the travel information map is extremely popular. The NDRoads Android app has been downloaded over 100,000 times, and the iOS version has been downloaded over 180,000 times.

I visited with DOT about adding county/local roads to the travel information map, and they said it is likely possible, but there are a number of factors to consider such as software costs and personnel to keep the system up-to-date for every roadway.

### Seat Belt Liability

During the subcommittee hearing today there was discussion about testimony provided by the North Dakota Association for Justice related to concerns over liability. The attachment (HB 1193.pdf) is from 2003 when an attorney from Bismarck, Dave Schweigert, brought a similar issue about negligence and fault to the legislative assembly. This bill passed and added the following language to NDCC 39-21-41.4:

- *A violation for not wearing a safety belt under this section is not, in itself, evidence of negligence. The fact of a violation of this section is not admissible in any proceeding other than one charging the violation.*

If I can help gather any additional information, please let me know! And thanks for allowing our agency to participate in fine-tuning these last couple of bills.

**Brandon Solberg, Colonel**  
Superintendent • (701) 328-2586 • [bjsolberg@nd.gov](mailto:bjsolberg@nd.gov)

NORTH  
**Dakota** | Highway Patrol  
Be Legendary.

#### **39-09-04. Alteration of maximum speed limits on state highways.**

The maximum speed limits specified in section 39-09-02 may be altered on all or any part of the state highway system by an administrative order by the director after a public hearing has been held. Such determination must be based on engineering and traffic investigations with primary consideration given to the establishment of reasonable and safe speeds, highway conditions, enforcement, and the general welfare. Speed limits established pursuant to this section shall be effective only when appropriate signs giving notice thereof are erected and such maximum speed limits may be declared to be effective at all times or at such times as are indicated upon said signs. Differing limits may be established by the North Dakota department of transportation and North Dakota state highway patrol for different times of the day, different types of vehicles, varying weather conditions, and other factors bearing on safe speeds, which shall be effective when posted upon appropriate fixed or variable signs. An administrative order is not required to temporarily lower maximum speed limits due to unsafe conditions.

#### **39-09-07. Speed zones on state highways.**

Whenever the director with respect to highways and the superintendent of the North Dakota state highway patrol shall jointly determine upon the basis of an engineering and traffic investigation that the speed of vehicular traffic on a state highway is greater or less than is reasonable or safe under the conditions found to exist at any intersection or other place or upon any part of such highway to include streets within the corporate limits of any city, when such streets have been designated as part of any state highway, said officials acting jointly may determine and declare a reasonable and safe speed limit thereat not in excess of the maximum prescribed by law, which shall be effective at all times or during hours of daylight or darkness or at such other times as may be determined when appropriate signs giving notice thereof are erected at such intersections or other place or part of the highway. This section does not prohibit the North Dakota department of transportation and North Dakota state highway patrol from temporarily lowering maximum speed limits due to unsafe conditions.

#### **39-09-07.1. Speed zones - Reduction limitation.**

Except for highway construction zones, no street, road, or highway in the state highway system or any other township, county, or state road or highway may be posted in a manner which reduces the maximum speed limit on the street, road, or highway by more than twenty miles [32.19 kilometers] per hour between any two signs so posted in a speed zone. Maximum speed limit reductions between any two fixed or variable signs may exceed twenty miles [32.19 kilometers] per hour when speed limits are temporarily lowered by the North Dakota department of transportation or North Dakota state highway patrol due to unsafe conditions. The maximum speed limit reduction between any two signs posted in a highway construction zone may not exceed thirty miles [48.28 kilometers] per hour.

SB 2168  
Fee Schedules  
Proposal C

Speed Limit Zones	25 mph zone	35 mph zone	45 mph zone	50 mph zone	55 mph zone	60 mph zone	65 mph zone	70 mph zone	75 mph zone	80 mph zone	School zone with children	Construction zone with workers
MPH Over	Fine	Fine	Fine	Fine	Fine	Fine	Fine	Fine	Fine	Fine	Fine	Fine
1 mph	\$ 2	\$ 2	\$ 2	\$ 2	\$ 2	\$ 2	\$ 2	\$ 5	\$ 5	\$ 5	\$ 40	\$ 80
2 mph	\$ 4	\$ 4	\$ 4	\$ 4	\$ 4	\$ 4	\$ 4	\$ 10	\$ 10	\$ 10	\$ 40	\$ 80
3 mph	\$ 6	\$ 6	\$ 6	\$ 6	\$ 6	\$ 6	\$ 6	\$ 15	\$ 15	\$ 15	\$ 40	\$ 80
4 mph	\$ 8	\$ 8	\$ 8	\$ 8	\$ 8	\$ 8	\$ 8	\$ 20	\$ 20	\$ 20	\$ 40	\$ 80
5 mph	\$ 10	\$ 10	\$ 10	\$ 10	\$ 10	\$ 10	\$ 10	\$ 25	\$ 25	\$ 25	\$ 40	\$ 80
6 mph	\$ 12	\$ 12	\$ 12	\$ 12	\$ 12	\$ 12	\$ 12	\$ 30	\$ 30	\$ 30	\$ 40	\$ 80
7 mph	\$ 14	\$ 14	\$ 14	\$ 14	\$ 14	\$ 14	\$ 14	\$ 35	\$ 35	\$ 35	\$ 40	\$ 80
8 mph	\$ 16	\$ 16	\$ 16	\$ 16	\$ 16	\$ 16	\$ 16	\$ 40	\$ 40	\$ 40	\$ 40	\$ 80
9 mph	\$ 18	\$ 18	\$ 18	\$ 18	\$ 18	\$ 18	\$ 18	\$ 45	\$ 45	\$ 45	\$ 40	\$ 80
10 mph	\$ 20	\$ 20	\$ 20	\$ 20	\$ 20	\$ 20	\$ 20	\$ 50	\$ 50	\$ 50	\$ 40	\$ 80
11 mph	\$ 25	\$ 25	\$ 25	\$ 25	\$ 25	\$ 25	\$ 25	\$ 55	\$ 55	\$ 55	\$ 41	\$ 82
12 mph	\$ 30	\$ 30	\$ 30	\$ 30	\$ 30	\$ 30	\$ 30	\$ 60	\$ 60	\$ 60	\$ 42	\$ 84
13 mph	\$ 35	\$ 35	\$ 35	\$ 35	\$ 35	\$ 35	\$ 35	\$ 65	\$ 65	\$ 65	\$ 43	\$ 86
14 mph	\$ 40	\$ 40	\$ 40	\$ 40	\$ 40	\$ 40	\$ 40	\$ 70	\$ 70	\$ 70	\$ 44	\$ 88
15 mph	\$ 45	\$ 45	\$ 45	\$ 45	\$ 45	\$ 45	\$ 45	\$ 75	\$ 75	\$ 75	\$ 45	\$ 90
16 mph	\$ 50	\$ 50	\$ 50	\$ 50	\$ 50	\$ 50	\$ 50	\$ 80	\$ 180	\$ 180	\$ 46	\$ 92
17 mph	\$ 55	\$ 55	\$ 55	\$ 55	\$ 55	\$ 55	\$ 55	\$ 85	\$ 185	\$ 185	\$ 47	\$ 94
18 mph	\$ 60	\$ 60	\$ 60	\$ 60	\$ 60	\$ 60	\$ 60	\$ 90	\$ 190	\$ 190	\$ 48	\$ 96
19 mph	\$ 65	\$ 65	\$ 65	\$ 65	\$ 65	\$ 65	\$ 65	\$ 95	\$ 195	\$ 195	\$ 49	\$ 98
20 mph	\$ 70	\$ 70	\$ 70	\$ 70	\$ 70	\$ 70	\$ 70	\$ 100	\$ 200	\$ 200	\$ 50	\$ 100
21 mph	\$ 175	\$ 175	\$ 175	\$ 175	\$ 175	\$ 175	\$ 175	\$ 205	\$ 205	\$ 205	\$ 151	\$ 202
22 mph	\$ 180	\$ 180	\$ 180	\$ 180	\$ 180	\$ 180	\$ 180	\$ 210	\$ 210	\$ 210	\$ 152	\$ 204
23 mph	\$ 185	\$ 185	\$ 185	\$ 185	\$ 185	\$ 185	\$ 185	\$ 215	\$ 215	\$ 215	\$ 153	\$ 206
24 mph	\$ 190	\$ 190	\$ 190	\$ 190	\$ 190	\$ 190	\$ 190	\$ 220	\$ 220	\$ 220	\$ 154	\$ 208
25 mph	\$ 195	\$ 195	\$ 195	\$ 195	\$ 195	\$ 195	\$ 195	\$ 225	\$ 225	\$ 225	\$ 155	\$ 210
26 mph	\$ 200	\$ 200	\$ 200	\$ 200	\$ 200	\$ 200	\$ 200	\$ 230	\$ 230	\$ 230	\$ 156	\$ 212
27 mph	\$ 205	\$ 205	\$ 205	\$ 205	\$ 205	\$ 205	\$ 205	\$ 235	\$ 235	\$ 235	\$ 157	\$ 214
28 mph	\$ 210	\$ 210	\$ 210	\$ 210	\$ 210	\$ 210	\$ 210	\$ 240	\$ 240	\$ 240	\$ 158	\$ 216
29 mph	\$ 215	\$ 215	\$ 215	\$ 215	\$ 215	\$ 215	\$ 215	\$ 245	\$ 245	\$ 245	\$ 159	\$ 218
30 mph	\$ 220	\$ 220	\$ 220	\$ 220	\$ 220	\$ 220	\$ 220	\$ 250	\$ 250	\$ 250	\$ 160	\$ 220
31 mph	\$ 225	\$ 225	\$ 225	\$ 225	\$ 225	\$ 225	\$ 225	\$ 255	\$ 255	\$ 255	\$ 161	\$ 222
32 mph	\$ 230	\$ 230	\$ 230	\$ 230	\$ 230	\$ 230	\$ 230	\$ 260	\$ 260	\$ 260	\$ 162	\$ 224
33 mph	\$ 235	\$ 235	\$ 235	\$ 235	\$ 235	\$ 235	\$ 235	\$ 265	\$ 265	\$ 265	\$ 163	\$ 226
34 mph	\$ 240	\$ 240	\$ 240	\$ 240	\$ 240	\$ 240	\$ 240	\$ 270	\$ 270	\$ 270	\$ 164	\$ 228
35 mph	\$ 245	\$ 245	\$ 245	\$ 245	\$ 245	\$ 245	\$ 245	\$ 275	\$ 275	\$ 275	\$ 165	\$ 230
36 mph	\$ 250	\$ 250	\$ 250	\$ 250	\$ 250	\$ 250	\$ 250	\$ 280	\$ 280	\$ 280	\$ 166	\$ 232
37 mph	\$ 255	\$ 255	\$ 255	\$ 255	\$ 255	\$ 255	\$ 255	\$ 285	\$ 285	\$ 285	\$ 167	\$ 234
38 mph	\$ 260	\$ 260	\$ 260	\$ 260	\$ 260	\$ 260	\$ 260	\$ 290	\$ 290	\$ 290	\$ 168	\$ 236
39 mph	\$ 265	\$ 265	\$ 265	\$ 265	\$ 265	\$ 265	\$ 265	\$ 295	\$ 295	\$ 295	\$ 169	\$ 238
40 mph	\$ 270	\$ 270	\$ 270	\$ 270	\$ 270	\$ 270	\$ 270	\$ 300	\$ 300	\$ 300	\$ 170	\$ 240
41 mph	\$ 275	\$ 275	\$ 275	\$ 275	\$ 275	\$ 275	\$ 275	\$ 305	\$ 305	\$ 305	\$ 171	\$ 242
42 mph	\$ 280	\$ 280	\$ 280	\$ 280	\$ 280	\$ 280	\$ 280	\$ 310	\$ 310	\$ 310	\$ 172	\$ 244
43 mph	\$ 285	\$ 285	\$ 285	\$ 285	\$ 285	\$ 285	\$ 285	\$ 315	\$ 315	\$ 315	\$ 173	\$ 246
44 mph	\$ 290	\$ 290	\$ 290	\$ 290	\$ 290	\$ 290	\$ 290	\$ 320	\$ 320	\$ 320	\$ 174	\$ 248
45 mph	\$ 295	\$ 295	\$ 295	\$ 295	\$ 295	\$ 295	\$ 295	\$ 325	\$ 325	\$ 325	\$ 175	\$ 250
46 mph	\$ 300	\$ 300	\$ 300	\$ 300	\$ 300	\$ 300	\$ 300	\$ 330	\$ 330	\$ 330	\$ 176	\$ 252
47 mph	\$ 305	\$ 305	\$ 305	\$ 305	\$ 305	\$ 305	\$ 305	\$ 335	\$ 335	\$ 335	\$ 177	\$ 254
48 mph	\$ 310	\$ 310	\$ 310	\$ 310	\$ 310	\$ 310	\$ 310	\$ 340	\$ 340	\$ 340	\$ 178	\$ 256
49 mph	\$ 315	\$ 315	\$ 315	\$ 315	\$ 315	\$ 315	\$ 315	\$ 345	\$ 345	\$ 345	\$ 179	\$ 258
50 mph	\$ 320	\$ 320	\$ 320	\$ 320	\$ 320	\$ 320	\$ 320	\$ 350	\$ 350	\$ 350	\$ 180	\$ 260
51 mph	\$ 325	\$ 325	\$ 325	\$ 325	\$ 325	\$ 325	\$ 325	\$ 355	\$ 355	\$ 355	\$ 181	\$ 262
52 mph	\$ 330	\$ 330	\$ 330	\$ 330	\$ 330	\$ 330	\$ 330	\$ 360	\$ 360	\$ 360	\$ 182	\$ 264
53 mph	\$ 335	\$ 335	\$ 335	\$ 335	\$ 335	\$ 335	\$ 335	\$ 365	\$ 365	\$ 365	\$ 183	\$ 266
54 mph	\$ 340	\$ 340	\$ 340	\$ 340	\$ 340	\$ 340	\$ 340	\$ 370	\$ 370	\$ 370	\$ 184	\$ 268
55 mph	\$ 345	\$ 345	\$ 345	\$ 345	\$ 345	\$ 345	\$ 345	\$ 375	\$ 375	\$ 375	\$ 185	\$ 270
+\$100 at 16 + mph over												
+\$100 at 21 + mph over												

23.0674.01001

Sixty-eighth  
Legislative Assembly  
of North Dakota

**SENATE BILL NO. 2168**

Introduced by

Senators Rummel, Kessel, Sickler

Representatives Klemin, Lefor, Steiner

1 ~~A BILL for an Act to create and enact a new subsection to section 39-06.1-06 of the North~~  
 2 ~~Dakota Century Code, relating to the amount of fees for speeding violations; to amend and~~  
 3 ~~reenact subsection 2 of section 40-05-06 of the North Dakota Century Code, relating to city~~  
 4 ~~finest and penalties; and to provide a penalty for an Act to amend and reenact section~~  
 5 ~~39-06.1-06, subdivision i of subsection 1 of section 39-09-02, section 39-21-41.4, and~~  
 6 ~~subsection 2 of section 40-05-06 of the North Dakota Century Code, relating to speeding~~  
 7 ~~violations, use of safety belts, and city fines and penalties; and to provide a penalty.~~

8 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

9 ~~SECTION 1. A new subsection to section 39-06.1-06 of the North Dakota Century Code is~~  
10 ~~created and enacted as follows:~~

11 ~~If a violation of subsection 4, 5, 7, 8, or 9 is for exceeding the speed limit by~~  
12 ~~twenty one miles [33.8 kilometers] per hour or more, the specified fee is increased by~~  
13 ~~one hundred percent.~~

14 ~~SECTION 2. AMENDMENT. Subsection 2 of section 40-05-06 of the North Dakota Century~~  
15 ~~Code is amended and reenacted as follows:~~

16 ~~2. For every violation of a city ordinance that regulates the operation or equipment of a~~  
17 ~~motor vehicle or which regulates traffic, except those ordinances listed in section~~  
18 ~~39-06.1-05 or the additional increased fee amount assessed under section 1 of this~~  
19 ~~Act, a fee may be established, by ordinance, which may exceed, by up to one hundred~~  
20 ~~percent, the limit, for an equivalent category of violation, set forth in section~~  
21 ~~39-06.1-06.~~

22 **SECTION 1. AMENDMENT.** Section 39-06.1-06 of the North Dakota Century Code is  
23 amended and reenacted as follows:

1       **39-06.1-06. Amount of statutory fees.**

2       The fees required for a noncriminal disposition under section 39-06.1-02 or 39-06.1-03 must  
3 be as follows:

- 4       1. For a nonmoving violation as defined in section 39-06.1-08, a fee of twenty dollars  
5       except for a violation of any traffic parking regulation on any state charitable or penal  
6       institution property or on the state capitol grounds, a fee in the amount of five dollars,  
7       excluding a violation of subsection 11 of section 39-01-15.
- 8       2. For a moving violation as defined in section 39-06.1-09, a fee of twenty dollars, except  
9       for:
  - 10      a. A violation of section 39-10-26, 39-10-26.2, 39-10-41, or 39-10-42, a fee of fifty  
11      dollars.
  - 12      b. A violation of section 39-10-05 involving failure to yield to a pedestrian or  
13      subsection 1 of section 39-10-28, a fee of fifty dollars.
  - 14      c. A violation of section 39-21-41.2, a fee of twenty-five dollars.
  - 15      d. A violation of subsection 1 of section 39-12-02, section 39-08-23, or section  
16      39-08-25, a fee of one hundred dollars.
  - 17      e. A violation of subdivision d of subsection 1 of section 39-12-04, a fee of one  
18      hundred dollars.
  - 19      f. A violation of subsection 6 of section 39-04-37, a fee of one hundred dollars.
  - 20      g. A violation of subsection 2 of section 39-10-21.1, a fee of two hundred fifty  
21      dollars.
  - 22      h. A violation of section 39-10-59, a fee of five hundred dollars.
  - 23      i. A violation of section 39-09-01, a fee of thirty dollars.
  - 24      j. A violation of section 39-09-01.1, a fee of thirty dollars.
  - 25      k. A violation of section 39-10-46 or 39-10-46.1, a fee of one hundred dollars.
  - 26      l. A violation of subsection 1 of section 39-08-20, one hundred fifty dollars for a first  
27      violation and three hundred dollars for a second or subsequent violation in three  
28      years.
  - 29      m. A violation of section 39-10-24 or 39-10-44, a fee of forty dollars.
  - 30      n. A violation of section 39-10-50.1, a fee of fifty dollars.
  - 31      o. A violation of section 39-19-03, a fee of fifty dollars.

1 3. For a violation of section 39-21-44 or a rule adopted under that section, a fee of two  
2 hundred fifty dollars.

3 4. ~~Except as provided in subsections 5 and 7, for a violation of section 39-09-02, or an~~  
4 ~~equivalent ordinance, a fee established as follows:~~

<del>Miles per hour over</del>	<del>Fee</del>
<del>1 - 5</del>	<del>\$ 5</del>
<del>6 - 10</del>	<del>\$ 5 plus \$1/each mph over 5 mph over limit</del>
<del>11 - 15</del>	<del>\$ 10 plus \$1/each mph over 10 mph over limit</del>
<del>16 - 20</del>	<del>\$ 15 plus \$2/each mph over 15 mph over limit</del>
<del>21 - 25</del>	<del>\$ 25 plus \$3/each mph over 20 mph over limit</del>
<del>26 - 35</del>	<del>\$ 40 plus \$3/each mph over 25 mph over limit</del>
<del>36 - 45</del>	<del>\$ 70 plus \$3/each mph over 35 mph over limit</del>
<del>46 +</del>	<del>\$100 plus \$5/each mph over 45 mph over limit</del>

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15 ~~5.~~ On a highway on which the speed limit is a speed ~~higher than fifty five miles~~  
16 ~~[88.51 kilometers] of sixty-five miles [104.61 kilometers] an hour or lower,~~ for a violation  
17 of section 39-09-02, or an equivalent ordinance, a fee established as follows:

Miles per hour over	Fee
lawful speed limit	
1 - 10	\$2/each mph over limit
11 +	\$20 plus \$5/each mph over 10 mph over limit

18  
19  
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22 ~~6.5.~~ For a violation of section 39-06.2-10.9 or subsection 3 of section 39-21-46, a fee  
23 established as follows:

- 24 a. Driving more than eleven hours since the last ten hours off duty, driving after  
25 fourteen hours on duty since the last ten hours off duty, driving after sixty hours  
26 on duty in seven days or seventy hours in eight days, no record of duty status or  
27 log book in possession, failing to retain previous seven-day record of duty status  
28 or log book, or operating a vehicle with four to six out-of-service defects, one  
29 hundred dollars;
- 30 b. False record of duty status or log book or operating a vehicle with seven to nine  
31 out-of-service defects, two hundred fifty dollars;



- 1 c. Operating a vehicle after driver placed out of service, operating a vehicle with ten  
2 or more out-of-service defects, or operating a vehicle that has been placed out of  
3 service prior to its repair, five hundred dollars; and  
4 d. All other violations of motor carrier safety rules adopted under subsection 3 of  
5 section 39-21-46, fifty dollars.

6 ~~7.6.~~ On a highway on which the speed limit is posted in excess of sixty-five miles  
7 [104.61 kilometers] an hour, for a violation of section 39-09-02, or equivalent  
8 ordinance, a fee of five dollars for each mile per hour over the limit.

9 ~~8.7.~~ For a violation of a school zone speed limit under subdivision b of subsection 1 of  
10 section 39-09-02, a fee of forty dollars for one through ten miles per hour over the  
11 posted speed; and forty dollars, plus one dollar for each additional mile per hour over  
12 ten miles per hour over the limit unless a greater fee would be applicable under this  
13 section.

14 ~~9.8.~~ For a violation of a highway construction zone speed limit under subsection 2 of  
15 section 39-09-02, a fee of eighty dollars for one through ten miles per hour over the  
16 posted speed; and eighty dollars plus two dollars for each mile per hour over ten miles  
17 per hour over the limit, unless a greater fee would be applicable under this section.  
18 The fee in this subsection does not apply to a highway construction zone unless  
19 individuals engaged in construction are present at the time and place of the violation  
20 and the posted speed limit sign states "Minimum Fee \$80".

21 9. If a violation of subsection 4, 6, 7, or 8 is for exceeding the speed limit by twenty-one  
22 miles [33.8 kilometers] per hour or more in a speed zone of less than seventy-five  
23 miles [120.7 kilometers] an hour, the specified fee is increased by one hundred dollars.  
24 If a violation of subsection 6 is for exceeding the speed limit by sixteen miles [25.75  
25 kilometers] an hour or more in a speed zone of seventy-five miles [120.7 kilometers]  
26 an hour or greater, the specified fee is increased by one hundred dollars.

27 **SECTION 2. AMENDMENT.** Subdivision i of subsection 1 of section 39-09-02 of the North  
28 Dakota Century Code is amended and reenacted as follows:

- 29 i. ~~Seventy-five~~Eighty miles [~~120.70~~128.75 kilometers] an hour on  
30 access-controlled, paved and divided, multilane interstate highways, unless  
31 otherwise permitted, restricted, or required by conditions.

1       **SECTION 3. AMENDMENT.** Section 39-21-41.4 of the North Dakota Century Code is  
2 amended and reenacted as follows:

3       **39-21-41.4. Use of safety belts required in certain motor vehicles - Enforcement -**  
4 **Evidence.**

5       1. Subject to the limitations of this section and section 39-21-41.5, a driver may not  
6 operate upon a highway a motor vehicle designed for carrying fewer than eleven  
7 passengers, which was originally manufactured with safety belts unless each front  
8 seat occupant is wearing a properly adjusted and fastened safety belt.

9       2. This section does not apply to a child in a child restraint or safety belt in accordance  
10 with section 39-21-41.2; to drivers of implements of husbandry; to operators of farm  
11 vehicles as defined in subsection 5 of section 39-04-19; to rural mail carriers while on  
12 duty delivering mail; to an occupant with a medical or physically disabling condition  
13 that prevents appropriate restraint in a safety belt, if a qualified physician, physician  
14 assistant, or advanced practice registered nurse states in a signed writing the nature  
15 of the condition and the reason restraint is inappropriate; or when all front seat safety  
16 belts are in use by other occupants. A physician, physician assistant, or advanced  
17 practice registered nurse who, in good faith, provides a statement that restraint would  
18 be inappropriate is not subject to civil liability. ~~A violation for not wearing a safety belt~~  
19 ~~under this section is not, in itself, evidence of negligence. The fact of a violation of this~~  
20 ~~section is not admissible in any proceeding other than one charging the violation~~

21       3. The use or nonuse of a safety belt:

22       a. May not be used in any action as evidence of fault;

23       b. Is not, in itself, evidence of negligence; and

24       c. Is not admissible in any proceedings other than one charging the violation.

25       4. The fee imposed for a violation of this section must be issued to:

26       a. The driver if the violation is by the driver or a passenger who is a minor; or

27       b. The adult passenger if the violation was by an adult passenger.

28       **SECTION 4. AMENDMENT.** Subsection 2 of section 40-05-06 of the North Dakota Century  
29 Code is amended and reenacted as follows:

30       2. For every violation of a city ordinance that regulates the operation or equipment of a  
31 motor vehicle or which regulates traffic, except those ordinances listed in section

Sixty-eighth  
Legislative Assembly

1 39-06.1-05, a fee may be established, by ordinance, which may exceed, by up to one  
2 hundred percent, the limit, for an equivalent category of violation, set forth in section  
3 39-06.1-06 except for a violation of a speed limitation.

23.0674.01002  
Title.

Prepared by the Legislative Council staff for  
Senator Rummel  
April 20, 2023

**PROPOSED AMENDMENTS TO SENATE BILL NO. 2168**

That the House recede from its amendments as printed on pages 1532-1535 of the Senate Journal and pages 1741-1745 of the House Journal and that Senate Bill No. 2168 be amended as follows:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact section 39-06.1-06, subdivision i of subsection 1 of section 39-09-02, section 39-21-41.4, and subsection 2 of section 40-05-06 of the North Dakota Century Code, relating to speeding violations, use of safety belts, and city fines and penalties; and to provide a penalty.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1. AMENDMENT.** Section 39-06.1-06 of the North Dakota Century Code is amended and reenacted as follows:

**39-06.1-06. Amount of statutory fees.**

The fees required for a noncriminal disposition under section 39-06.1-02 or 39-06.1-03 must be as follows:

1. For a nonmoving violation as defined in section 39-06.1-08, a fee of twenty dollars except for a violation of any traffic parking regulation on any state charitable or penal institution property or on the state capitol grounds, a fee in the amount of five dollars, excluding a violation of subsection 11 of section 39-01-15.
2. For a moving violation as defined in section 39-06.1-09, a fee of twenty dollars, except for:
  - a. A violation of section 39-10-26, 39-10-26.2, 39-10-41, or 39-10-42, a fee of fifty dollars.
  - b. A violation of section 39-10-05 involving failure to yield to a pedestrian or subsection 1 of section 39-10-28, a fee of fifty dollars.
  - c. A violation of section 39-21-41.2, a fee of twenty-five dollars.
  - d. A violation of subsection 1 of section 39-12-02, section 39-08-23, or section 39-08-25, a fee of one hundred dollars.
  - e. A violation of subdivision d of subsection 1 of section 39-12-04, a fee of one hundred dollars.
  - f. A violation of subsection 6 of section 39-04-37, a fee of one hundred dollars.
  - g. A violation of subsection 2 of section 39-10-21.1, a fee of two hundred fifty dollars.

- h. A violation of section 39-10-59, a fee of five hundred dollars.
  - i. A violation of section 39-09-01, a fee of thirty dollars.
  - j. A violation of section 39-09-01.1, a fee of thirty dollars.
  - k. A violation of section 39-10-46 or 39-10-46.1, a fee of one hundred dollars.
  - l. A violation of subsection 1 of section 39-08-20, one hundred fifty dollars for a first violation and three hundred dollars for a second or subsequent violation in three years.
  - m. A violation of section 39-10-24 or 39-10-44, a fee of forty dollars.
  - n. A violation of section 39-10-50.1, a fee of fifty dollars.
  - o. A violation of section 39-19-03, a fee of fifty dollars.
3. For a violation of section 39-21-44 or a rule adopted under that section, a fee of two hundred fifty dollars.
4. ~~Except as provided in subsections 5 and 7, for a violation of section 39-09-02, or an equivalent ordinance, a fee established as follows:~~

~~Miles per hour over~~

<del>lawful speed limit</del>	<del>Fee</del>
<del>1-5</del>	<del>\$-5</del>
<del>6-10</del>	<del>\$-5 plus \$1/each mph over 5 mph over limit</del>
<del>11-15</del>	<del>\$-10 plus \$1/each mph over 10 mph over limit</del>
<del>16-20</del>	<del>\$-15 plus \$2/each mph over 15 mph over limit</del>
<del>21-25</del>	<del>\$-25 plus \$3/each mph over 20 mph over limit</del>
<del>26-35</del>	<del>\$-40 plus \$3/each mph over 25 mph over limit</del>
<del>36-45</del>	<del>\$-70 plus \$3/each mph over 35 mph over limit</del>
<del>46+</del>	<del>\$-100 plus \$5/each mph over 45 mph over limit</del>

5. ~~On a highway on which the speed limit is a speed higher than fifty-five miles [88.51 kilometers] of sixty-five miles [104.61 kilometers] an hour or lower, for a violation of section 39-09-02, or an equivalent ordinance, a fee established as follows:~~

~~Miles per hour over~~

<del>lawful speed limit</del>	<del>Fee</del>
<del>1 - 10</del>	<del>\$2/each mph over limit</del>
<del>11 +</del>	<del>\$20 plus \$5/each mph over 10 mph over limit</del>

- 6-5. For a violation of section 39-06.2-10.9 or subsection 3 of section 39-21-46, a fee established as follows:
- a. Driving more than eleven hours since the last ten hours off duty, driving after fourteen hours on duty since the last ten hours off duty, driving after sixty hours on duty in seven days or seventy hours in eight days, no record of duty status or log book in possession, failing to retain previous seven-day record of duty status or log book, or operating a vehicle with four to six out-of-service defects, one hundred dollars;
  - b. False record of duty status or log book or operating a vehicle with seven to nine out-of-service defects, two hundred fifty dollars;
  - c. Operating a vehicle after driver placed out of service, operating a vehicle with ten or more out-of-service defects, or operating a vehicle that has been placed out of service prior to its repair, five hundred dollars; and
  - d. All other violations of motor carrier safety rules adopted under subsection 3 of section 39-21-46, fifty dollars.
- 7-6. On a highway on which the speed limit is posted in excess of sixty-five miles [104.61 kilometers] an hour, for a violation of section 39-09-02, or equivalent ordinance, a fee of five dollars for each mile per hour over the limit.
- 8-7. For a violation of a school zone speed limit under subdivision b of subsection 1 of section 39-09-02, a fee of forty dollars for one through ten miles per hour over the posted speed; and forty dollars, plus one dollar for each additional mile per hour over ten miles per hour over the limit unless a greater fee would be applicable under this section.
- 9-8. For a violation of a highway construction zone speed limit under subsection 2 of section 39-09-02, a fee of eighty dollars for one through ten miles per hour over the posted speed; and eighty dollars plus two dollars for each mile per hour over ten miles per hour over the limit, unless a greater fee would be applicable under this section. The fee in this subsection does not apply to a highway construction zone unless individuals engaged in construction are present at the time and place of the violation and the posted speed limit sign states "Minimum Fee \$80".
9. If a violation of subsection 4, 6, 7, or 8 is for exceeding the speed limit by twenty-one miles [33.8 kilometers] per hour or more in a speed zone of less than seventy-five miles [120.7 kilometers] an hour, the specified fee is increased by one hundred dollars. If a violation of subsection 6 is for exceeding the speed limit by sixteen miles [25.75 kilometers] an hour or more in a speed zone of seventy-five miles [120.7 kilometers] an hour or greater, the specified fee is increased by one hundred dollars.

**SECTION 2. AMENDMENT.** Subdivision i of subsection 1 of section 39-09-02 of the North Dakota Century Code is amended and reenacted as follows:

- i. ~~Seventy-five~~Eighty miles [~~120.70~~128.75 kilometers] an hour on access-controlled, paved and divided, multilane interstate highways, unless otherwise permitted, restricted, or required by conditions.

**SECTION 3. AMENDMENT.** Section 39-21-41.4 of the North Dakota Century Code is amended and reenacted as follows:

**39-21-41.4. Use of safety belts required in certain motor vehicles - Enforcement - Evidence.**

~~Subject to the limitations of this section and section 39-21-41.5, a~~

1. A driver may not operate upon a highway a motor vehicle designed for carrying fewer than eleven passengers, which was originally manufactured with safety belts unless each ~~front seat~~ occupant is wearing a properly adjusted and fastened safety belt.
2. This section does not apply to a child in a child restraint or safety belt in accordance with section 39-21-41.2; to drivers of implements of husbandry; to operators of farm vehicles as defined in subsection 5 of section 39-04-19; to rural mail carriers while on duty delivering mail; to a class A or class C authorized emergency vehicle while in the performance of official duties; to an occupant with a medical or physically disabling condition that prevents appropriate restraint in a safety belt, if a qualified physician, physician assistant, or advanced practice registered nurse states in a signed writing the nature of the condition and the reason restraint is inappropriate; or when all ~~front seat~~ safety belts are in use by other occupants. A physician, physician assistant, or advanced practice registered nurse who, in good faith, provides a statement that restraint would be inappropriate is not subject to civil liability. A violation for not wearing a safety belt under this section is not, in itself, evidence of negligence. The fact of a violation of this section is not admissible in any proceeding other than one charging the violation.
3. The fee imposed for a violation of this section must be issued to:
  - a. The driver if the violation is by the driver or a passenger who is a minor; or
  - b. The adult passenger if the violation was by an adult passenger.

**SECTION 4. AMENDMENT.** Subsection 2 of section 40-05-06 of the North Dakota Century Code is amended and reenacted as follows:

2. For every violation of a city ordinance that regulates the operation or equipment of a motor vehicle or which regulates traffic, except those ordinances listed in section 39-06.1-05, a fee may be established, by ordinance, which may exceed, by up to one hundred percent, the limit, for an equivalent category of violation, set forth in section 39-06.1-06 except for a violation of a speed limitation."

Renumber accordingly