

2023 HOUSE GOVERNMENT AND VETERANS AFFAIRS

HB 1055

2023 HOUSE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee Pioneer Room, State Capitol

HB 1055
1/5/2023

Relating to the administrative practices act and review of accidents involving state-owned or state-leased motor vehicles.
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Chairman Schauer called the meeting to order at 9:17am.

Chairman Austen Schauer, Vice Chairmen Bernie Satrom, Reps. Landon Bahl, Claire Cory, Jeff A. Hoverson, Jorin Johnson, Karen Karls, Scott Louser, Carrie McLeod, Karen M. Rohr, Vicky Steiner, Steve Vetter, Mary Schneider. All present.

Discussion Topics:

- Necessity of board
- Number of vehicle accidents with additional issues.
- Language of vehicle accidents
- Board review of accidents

Tag Anderson, Director of Risk Management, introduced HB 1055 with supportive testimony (No. 12328).

Mike Gerhart, Director of State Fleet for the North Dakota Department of Transportation, offered testimony in support of bill (No. 12384).

Chairman Schauer closed the hearing on HB 1055.

Rep. Steiner moved a do pass on HB 1055.

Seconded by Rep. McLeod.

Roll Call Vote:

Representatives	Vote
Representative Austen Schauer	Y
Representative Bernie Satrom	Y
Representative Landon Bahl	Y
Representative Claire Cory	Y
Representative Jeff A. Hoverson	Y
Representative Jorin Johnson	Y
Representative Karen Karls	Y
Representative Scott Louser	Y
Representative Carrie McLeod	Y
Representative Karen M. Rohr	Y
Representative Mary Schneider	Y
Representative Vicky Steiner	Y
Representative Steve Vetter	Y

House Government and Veterans Affairs Committee
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Motion carries 13-0-0.

Carried by Rep. Bahl.

Chairman Schauer adjourned the meeting at 9:28am.

Phillip Jacobs, Committee Clerk

REPORT OF STANDING COMMITTEE

HB 1055: Government and Veterans Affairs Committee (Rep. Schauer, Chairman)
recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB
1055 was placed on the Eleventh order on the calendar.

2023 SENATE TRANSPORTATION

HB 1055

2023 SENATE STANDING COMMITTEE MINUTES

Transportation Committee
Fort Totten Room, State Capitol

HB 1055
2/16/2023

Relating to the administrative practices act and review of accidents involving state-owned or state-leased motor vehicles

9:01 AM Chairman Clemens opened hearing.

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

Discussion Topics:

- Fleet number
- Crash Review Board process

9:02 AM Tag Anderson, Director of Risk Management and Budget, in favor. #20849

9:05 AM Mike Gerhart, Director of State Fleet for North Dakota Department of Transportation, in support. #20920

9:10 AM Chairman Clemens adjourned hearing.

9:11 AM Senator Larsen moved Do Pass.

9:12 AM Senator Conley seconded.

Senators	Vote
Senator David A. Clemens	Y
Senator Cole Conley	Y
Senator Doug Larsen	Y
Senator Bob Paulson	Y
Senator Dean Rummel	Y

Motioned passed 5-0-0

9:12 AM Senator Rummel will carry.

9:13 Chairman Clemens adjourned meeting.

Nathan Liesen, Committee Clerk

REPORT OF STANDING COMMITTEE

HB 1055: Transportation Committee (Sen. Clemens, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1055 was placed on the Fourteenth order on the calendar. This bill does not affect workforce development.

TESTIMONY

HB 1055



Testimony in Support of
House Bill No. 1055
House Government and Veterans Affairs
January 5, 2023

TESTIMONY OF

Tag Anderson, Director Risk Management Division

Chairman Schauer and members of the committee, my name is Tag Anderson. I am the Director of the Risk Management Division of the Office of Management and Budget. I appear today in support of HB 1055.

This legislation came out of the Governor's Red Tape Reduction Working Group. The legislation eliminates the formality of a statutorily created board to review accidents or crashes involving state-owned or leased motor vehicles. The legislation essentially preserves the current process of the review of all motor vehicle crashes by the Department of Transportation and the Risk Management Division, allowing for remedial or corrective recommendations to be made with appropriate deference to an established agency loss control committee. Risk Management and the Department of Transportation are made aware of all incidents involving a state owned or leased motor vehicle and are communicating and making determinations involving the incident independent of the accident review board. It is our position that a statutorily-created board is both unnecessary and duplicative.

Mr. Chairman and committee members, this concludes my testimony. I ask your support for HB 1055. I would be happy to answer any questions.

Thank you.



Transportation

House Bill No. 1055
Government & Veterans Affairs Committee

Pioneer Room | January 5, 2023, 9:15 a.m.

Mike Gerhart, Director for State Fleet

Good morning, Mr. Chairman members of the committee. I'm Mike Gerhart, Director of State Fleet for the North Dakota Department of Transportation (NDDOT). I'm here to support HB 1055.

House Bill 1055 simplifies the current state accident review board and changes the word "accident" to "crash" to be consistent with other laws. North Dakota Century Code currently states that a review board be established. The board reviews any crashes involving a state-owned or state-leased vehicle driven by a state employee which involves bodily injury or significant property damage. The board meets quarterly and reviews major crashes, as well as reports from other agency review boards or loss control committees. All other state-owned vehicle crashes are currently reviewed by State Fleet. This bill dissolves the board and requires NDDOT and Risk Management review all crashes.

This change will simplify the review process. Allowing the NDDOT and Risk Management to review all crashes will be advantageous as they can meet sooner and more often than the larger board. It would also give the NDDOT the ability to restrict state employees from driving State Fleet vehicles in the event a driver has repeated offenses. Currently, the NDDOT and the accident review board have no say over who can or can't drive. The NDDOT can only make recommendations to the agencies on how to discipline drivers who habitually receive citations or who have been in repeated crashes.

In closing, House Bill 1055 is a red tape reduction bill which streamlines the crash review process while providing the NDDOT and Risk Management the ability to increase accountability and promote safety. I would ask for your support passing this bill. This concludes my testimony. Thank You.



Testimony in Support of
House Bill No. 1055
Senate Transportation Committee
February 16, 2023

TESTIMONY OF

Tag Anderson, Director Risk Management Division

Chairman Clemens and members of the committee, my name is Tag Anderson. I am the Director of the Risk Management Division of the Office of Management and Budget. I appear today in support of HB 1055.

This legislation came out of the Governor's Red Tape Reduction Working Group. The legislation eliminates the formality of a statutorily created board to review accidents or crashes involving state-owned or leased motor vehicles. The legislation essentially preserves the current process of the review of all motor vehicle crashes by the Department of Transportation and the Risk Management Division, allowing for remedial or corrective recommendations to be made with appropriate deference to an established agency loss control committee. Risk Management and the Department of Transportation are made aware of all incidents involving a state owned or leased motor vehicle and are communicating and making determinations involving the incident independent of the accident review board. It is our position that a statutorily-created board is both unnecessary and duplicative.

Mr. Chairman and committee members, this concludes my testimony. I ask your support for HB 1055. I would be happy to answer any questions.

Thank you.

**House Bill No. 1055****Senate Transportation Committee**

Fort Totten | February 16, 2023, 9:00 a.m.

Mike Gerhart, Director for State Fleet

Good morning Mr. Chairman and members of the Senate Transportation committee. I'm Mike Gerhart, Director of State Fleet for the North Dakota Department of Transportation. I'm here today in support of HB 1055.

House Bill 1055 simplifies the current state accident review board and changes the word accident to crash to be consistent with other laws. North Dakota Century Code currently states that a review board be established. The board reviews any crashes involving a state-owned or state-leased vehicle driven by a state employee which involves bodily injury or significant property damage. The board meets quarterly and reviews major crashes and reports from other agency review boards or loss control committees. All other state-owned vehicle crashes are currently reviewed by State Fleet. This bill dissolves the board and requires State Fleet and Risk Management review all crashes.

This change will simplify the review process. Allowing State Fleet and Risk Management to review all crashes will be advantageous as we can meet sooner and more often than the larger board. It would also give State Fleet the ability to restrict state employees from driving State Fleet vehicles in the event a driver has repeated offenses. Currently, State Fleet and the accident review board have no say over who can or can't drive. State Fleet can only make recommendations to the agencies on how to discipline drivers who habitually receive citations or who have been in repeated crashes.

In closing, House Bill 1055 is a red tape reduction bill which streamlines the crash review process while providing State Fleet and Risk Management the ability to increase accountability and promote safety. I would ask for your support passing this bill. This concludes my testimony. Thank You.