

2023 HOUSE TRANSPORTATION

HB 1169

2023 HOUSE STANDING COMMITTEE MINUTES

Transportation Committee
Room JW327E, State Capitol

HB 1169
1/12/2023

A bill relating to parking privileges and license plates for mobility impaired individuals.

Vice Chairman Grueneich opened the hearing at 10:06AM.

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:

- Handicap license plates
- Vehicle titles

Chairman D. Ruby introduced bill. **Distributed a proposed amendment 23.0222.01001** from NDDOT (#13212)

Sarah Carlson, Dickinson, North Dakota, testified in support (#13002).

Brad Schaffer, Interim Director of Motor Vehicle with the North Dakota Department of Transportation, neutral testimony (#12942).

Vice Chairman Grueneich closed the hearing at 10:28 AM.

Representative Weisz moved the amendment .01001.

Representative Christensen 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	Y
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	Y

Motion carries 14-0-0

Representative Dobervich moved a motion for a Do Pass as Amended.

Representative Christensen 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	Y
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	Y

Motion carries 14-0-0

Representative Timmons is the bill carrier.

Meeting adjourned at 10:33 AM

Mary Brucker, Committee Clerk

44
021
1/12/23

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1169

Page 1, line 1, remove "subsection 1 of section 39-01-15 and"

Page 1, line 2, remove "parking privileges and"

Page 1, remove lines 5 through 17

Page 1, line 21, remove "1."

Page 1, line 23, remove the overstrike over "possessing"

Page 1, line 23, remove the underscored colon

Page 1, line 24, remove "a. Possessing"

Page 1, line 24, remove the overstrike over the overstruck period

Page 1, line 24, remove the underscored semicolon

Page 2, remove lines 1 through 25

Page 2, line 26, remove "4." and insert immediately thereafter "One set of plates per mobility-impaired individual may be issued to a vehicle the mobility-impaired individual is not listed as the owner of if the vehicle is designated for the exclusive use of transporting that mobility-impaired individual."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1169: Transportation Committee (Rep. D. Ruby, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1169 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "subsection 1 of section 39-01-15 and"

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Renumber accordingly

2023 SENATE TRANSPORTATION

HB 1169

2023 SENATE STANDING COMMITTEE MINUTES

Transportation Committee
Fort Totten Room, State Capitol

HB1169
3/2/2023

A BILL for an Act, relating to license plates for mobility-impaired individuals.

1:00 PM Chairman Clemens opened the hearing.
Chairman Clemens, Senators Conley, Larsen, Paulson, Rummel were present.

Discussion Topics:

- Accessibility
- Special plates

1:02 PM Senator Ruby introduced the bill.

1:06 PM Micah Olson, Attorney, Protection and Advocacy, testified in favor. #21377

1:07 PM Brad Schafer, Interim Director of Motor Vehicle, NDDOT testified. #21564

1:09 PM Senator Larsen moved a **DO PASS** on HB 1169

1:09 PM 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

Motion passed 5-0-0

Senator Rummel will carry the bill.

1:10 PM Chairman Clemens adjourned the hearing.

Patricia Wilkens, Committee Clerk

REPORT OF STANDING COMMITTEE

HB 1169: Transportation Committee (Sen. Clemens, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1169 was placed on the Fourteenth order on the calendar. This bill does not affect workforce development.

TESTIMONY

HB 1169

**House Bill No. 1169****House Transportation Committee**

Room 327E | January 12, 2023, 10:00 a.m.

Brad Schaffer, Motor Vehicle

Good morning, Mr. Chairman and members of the committee. I'm Brad Schaffer, Interim Director of Motor Vehicle for the North Dakota Department of Transportation (NDDOT). I'm here to provide neutral testimony for HB 1169.

House Bill 1169 allows an individual who has limited mobility to have one set of plates for a vehicle where they are not listed as the owner, but use it as transportation. Current law allows for an individual with mobility issues to have a license plate that includes the international symbol of accessibility for mobile impairment on each vehicle they are listed as owner of, as well as one placard that can be transferred between vehicles. The Motor Vehicle Division would have to update a form to comply with this change, but no additional system changes would be required.

Mr. Chairman, that concludes my testimony. I would be happy to answer any questions you may have.

Testimony on HB1169
2023 Legislative Session
January 12, 2023

Rep. Dan Ruby, Chairman; Transportation Committee

Good morning, Chairman Ruby and members of the committee. My name is Sarah Carlson. I live in Dickinson, ND and I am writing this, representing my own thoughts and not on behalf of my employers. I hope to enlighten you all in a simple, but profound change needed for mobility-impaired license plates. I am in favor of HB1169

My 10 year old son, Beckett, uses a wheelchair. He got his first wheelchair when he was 3 (picture below). It was small enough that we could pack it in and out of the hatch of my small vehicle with a little assembly. This is also when we approached his physician to start the process to get mobility-impaired vehicle plates. Especially in the winter and navigating snow, it is helpful to park nearby the entrances. Pushing a wheelchair through slush or snow can be nearly impossible.

Today, we own a modified minivan that has tie down straps designed for wheelchair use because Beckett's wheelchair is no longer easy to assemble. It's not a public transit giant bus, it is our family's vehicle that looks just like all the other minivans on the road (photo below). It supports Beckett with having a quality of life. It gets him rides to and from school, to baseball games, doctor appointments, and the Medora Musical, holiday with family, among other places. We recently traded in a different accessible vehicle for the van we own now, so I have knowledge of the current value of these vehicles. The cost for a USED, modified Chrysler Pacifica minivan ranges from \$60,000 to \$87,000. The conversion cost starts around \$35,000, so that is in addition to the existing value of the vehicle.

The way the current century code is written, for us to get the mobility-impaired symbol on the license plate of our vehicle, Beckett's name needs to be on the title of the vehicle. How many of you have put your three-year-old on the title of the vehicle? Maybe not a three-year old. How about a ten-year old? Beckett is eligible for Medicaid because of his disability. For Medicaid eligibility, a person can have one car, but most people on Medicaid meet Social Security financial qualifications and have less than \$2,000 or \$3,000 of assets. So we would be putting Beckett's name on the title of a vehicle valued more than \$60,000. In addition to that, if Beckett would unfortunately die, Medicaid could perform an estate recovery, and Beckett would be a part owner of the vehicle if his name is on the title of our vehicle. So, as part of that estate recovery, they could make a claim against the value of the vehicle even though he has contributed exactly zero dollars toward the purchase. A person's disability has zero to do with the ownership of a vehicle an everything to do with the accessibility needed to access public buildings/parking.

Thank you for your time and consideration. Please vote in favor of HB1169.

Sarah Carlson
Cell: 515.450.7378
scarlson@ablend.net



23.0222.01001
Title.

Prepared by the Legislative Council staff for
Representative D. Ruby
January 10, 2023

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1169

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Renumber accordingly



PROTECTION & ADVOCACY PROJECT

400 EAST BROADWAY, SUITE 409

BISMARCK, ND 58501-4071

701.328.2950

Senate Transportation Committee

House Bill 1169– March 2, 2023

Testimony of Micah Olson, P&A Position-In Favor

My name is Micah Olson. I am an attorney at Protection and Advocacy. I am speaking in favor of House Bill No. 1169, a bill to permit a disabled individual who is not the owner of a vehicle to receive license plates marked with the international symbol of accessibility for the mobility impaired.

This bill will allow disabled users of vehicles to park without using a placard. It can be easy to forget to put up the placard, so the license plate is a better option for disabled individuals who always use the same vehicle.

Furthermore, this bill corrects a problem currently in statute; that the person receiving the license plate must be the owner of the vehicle. This is a significant problem for disabled children, who are very unlikely to be the owners of vehicles. It is also a concern for those who receive benefits such as Social Security and are limited on the amount of assets they may have in order to qualify for benefits. Passing this bill will provide a simple fix that will help many people in the State.

I support a Do Pass recommendation.

**House Bill No. 1169****Senate Transportation Committee**

Fort Totten | March 2, 2023, 1:00 p.m.

Brad Schaffer, Motor Vehicle

Good afternoon, Mr. Chairman and members of the committee. I'm Brad Schaffer, Interim Director of Motor Vehicle for the North Dakota Department of Transportation (NDDOT). I'm here to provide neutral testimony for HB 1169.

House Bill 1169 allows an individual who has limited mobility to have one set of plates for a vehicle where they are not listed as the owner, but use it as transportation. Current law allows for an individual with mobility impairment to have a license plate which includes the international symbol of accessibility for mobile impairment on each vehicle they are listed as owner of, as well as one placard which can be transferred between vehicles. The Motor Vehicle Division will need to update a form to comply with this change, but no additional system changes would be required.

Mr. Chairman, that concludes my testimony. I would be happy to answer any questions you may have.