



Zero fatalities. Zero excuses.

Good Afternoon 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 Area Emphasis Team. I am here today on behalf of the Speeding/Aggressive Team to provide neutral testimony on House Bill 1475. I want to start out by thanking the committee for passing Senate Bill 2168, which increased fines for speeds of 21 mph and greater over the posted limit. Your support is valuable in setting policy that is meant to deter motorists from exceeding posted speed limits.

During the last three legislative sessions, there have been four attempts to increase the speed limit on the interstate to eighty miles per hour. These bills were [House Bill 1184](#) and [Senate Bill 2057](#) in 2017; [House Bill 1264](#) in 2019; and [House Bill 1315](#) in 2021. A historical review of these bills indicates none of them included enhancing the deterrent to keep motorists from exceeding the higher limit. Speed limits and speeding fines are related and need to be addressed in the same bill otherwise there is a chance of one passing and not the other.

The history of these bills also includes arguments for and against raising the speed limit. Arguments in favor state the increased limit will save taxpayers time and money by reducing fines getting people home to their families sooner. If this bill passes, the current fine of \$25 for traveling 80 mph would be eliminated, but an unintended result would also be that those traveling at speeds of 85, 90, 95, 100, 105 mph, and higher would see reduced fines due to the current fee structure. While Senate Bill 2168 it is a good start to discouraging excessive speeds, there is room to legislatively enhance safety on North Dakota roadways.

One of the concerns the Speeding/Aggressive Driving Team has is when motorists transition from a higher speed zone to a lower one, it creates a greater speed variance and exponentially increases the energy in a crash if the motorists was involved in a crash at the higher speed. According to the [Insurance Institute for Highway Safety](#) "Some people contend that speed variation, not speeding, is the real danger. This idea is rooted in research conducted in the 1960s on two-lane rural roads, which found that vehicles traveling much faster or much slower than average were more likely to be involved in crashes (Solomon, 1964). However, that same research found that involvement in severe crashes increased with speed. While less speed variation is associated with fewer crashes because it cuts down on passing maneuvers and lane changes (Transportation Research Board, 1984; Garber & Ehrhart, 2000), the risk of death and severe injury is a direct exponential function of speed, not speed differences."

So, what does this mean, it means that regardless of the speed zone, motorists who exceed the posted speed limit create a greater risk to other motorists. From a traffic safety perspective this means that speeding should be treated equally regardless of the speed limit. Our current three-tier fee schedule structure doesn't adequately address speeding in all speed zones, which is evident when you transition between speed zones along the interstate system in North Dakota. There are several different speed zones along the interstate system where speeds are reduced to 65 mph, 60 mph, and 55 mph. These lower speed zones are currently assigned a lower fee for exceeding the speed limit.



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For example, if a driver is traveling 80 mph and continues at that speed into a 65-mph zone, thus 15 mph over the limit, a \$45 dollar fine and one point would be assessed. If the motorist is going 80 mph into the 55-mph zone, which would be 25 mph over the limit, the driver would be assessed a \$40 dollar fine (\$80 if SB 2168 passes) and five points. Between the two examples, the driver would currently pay 5 dollars less but assessed more points against their record. However, the points assessed for these violations could be waived if the driver notifies the court that they will complete a defensive driving course within the next thirty days.

We believe speeding fines need to be consistent across all speed zones, especially if the speed zones are on the same roadway. The current structure of varying fines for going the same amount over the posted speed limit is called a fluctuating deterrent. These types of deterrents aren't effective especially when the fine is reduced such as the example above. Vision Zero focuses on educating the public about the dangers of risky driving behaviors and working to deter those behaviors. A streamlined, simple policy that is easy for motorists to understand is needed and would facilitate our education efforts on consequences of speeding and other dangerous driving behaviors.

On behalf of the Speeding/Aggressive Driving Team, please consider the proposed amendment at the end of my testimony. The amendment would move all speed zones under the fee schedule for the interstate and divided highways where the speed limit is 70 mph or greater. Exceeding the speed limit in any zone is dangerous and puts other motorists at risk. The proposed amendment would place a deterrent for motorists who do not lower speeds when the limit changes on these roadways where the majority of serious injury crashes are occurring.

Thank you for the opportunity to speak and I would be willing to answer any questions.



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Amount Over	55 and less		60-65		70 and greater	
	Fine	Points	Fine	Points	Fine	Points
1 mph	\$ 5	0	\$ 2	0	\$ 5	0
2 mph	\$ 5	0	\$ 4	0	\$ 10	0
3 mph	\$ 5	0	\$ 6	0	\$ 15	0
4 mph	\$ 5	0	\$ 8	0	\$ 20	0
5 mph	\$ 5	0	\$ 10	0	\$ 25	0
6 mph	\$ 6	0	\$ 12	0	\$ 30	1
7 mph	\$ 7	0	\$ 14	0	\$ 35	1
8 mph	\$ 8	0	\$ 16	0	\$ 40	1
9 mph	\$ 9	0	\$ 18	0	\$ 45	1
10 mph	\$ 10	0	\$ 20	0	\$ 50	1
11 mph	\$ 11	1	\$ 25	1	\$ 55	3
12 mph	\$ 12	1	\$ 30	1	\$ 60	3
13 mph	\$ 13	1	\$ 35	1	\$ 65	3
14 mph	\$ 14	1	\$ 40	1	\$ 70	3
15 mph	\$ 15	1	\$ 45	1	\$ 75	3
16 mph	\$ 17	3	\$ 50	3	\$ 80	5
17 mph	\$ 19	3	\$ 55	3	\$ 85	5
18 mph	\$ 21	3	\$ 60	3	\$ 90	5
19 mph	\$ 23	3	\$ 65	3	\$ 95	5
20 mph	\$ 25	3	\$ 70	3	\$ 100	5
21 mph	\$ 28	5	\$ 75	5	\$ 105	7
22 mph	\$ 31	5	\$ 80	5	\$ 110	7
23 mph	\$ 34	5	\$ 85	5	\$ 115	7
24 mph	\$ 37	5	\$ 90	5	\$ 120	7
25 mph	\$ 40	5	\$ 95	5	\$ 125	7
26 mph	\$ 43	9	\$100	9	\$ 130	10
27 mph	\$ 46	9	\$105	9	\$ 135	10
28 mph	\$ 49	9	\$110	9	\$ 140	10
29 mph	\$ 52	9	\$115	9	\$ 145	10
30 mph	\$ 55	9	\$120	9	\$ 150	10
31 mph	\$ 58	9	\$125	9	\$ 155	12
32 mph	\$ 61	9	\$130	9	\$ 160	12
33 mph	\$ 64	9	\$135	9	\$ 165	12
34 mph	\$ 67	9	\$140	9	\$ 170	12
35 mph	\$ 70	9	\$145	9	\$ 175	12
36 mph	\$ 73	12	\$150	12	\$ 180	12



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I-94 Eastbound Into Fargo
80mph in 65 mph Zone (15 mph over - \$45/1 point)



I-94 Eastbound Through Fargo
80 mph in 55 mph zone (25 mph over - \$40/5 points) (\$80 if 2168 Passed)



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I-94 Eastbound Into Mandan
80 mph in 60 mph zone (20 mph over - \$70/3points)



I-94 Eastbound Through Bismarck
80 mph in 60 mph zone (20 mph over - \$70/3 points)



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Expressway Eastbound Through Mandan

80 mph in 55 mph zone (25 mph over - \$40/5 points) (\$80 if SB 2168 Passed)

90 mph in 55 mph zone (35 mph over - \$70/9 points) (\$140 if SB 2168 Passed)



Highway 2 Westbound into Minot

70 mph in 55 mph zone (15 mph over - \$15/1 point)



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Highway 2 Westbound – Surrey
70 mph in 60 mph zone (10 mph over - \$20/0 points)



PROPOSED AMENDEMNT TO House Bill No. 1475

Page 1, after line 4, add

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

~~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] 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~~

~~11-2+ \$0 plus \$5/each mph over 10 mph over limit~~

4. 6. For a violation of 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.

~~5. 7. On a highway on which the speed limit is posted in excess of sixty five miles [104.61 kilometers] an hour, fFor a violation of section 39-09-02, or equivalent ordinance, a fee of five dollars for each mile per hour over the limit.~~

6. 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.

7. ~~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".

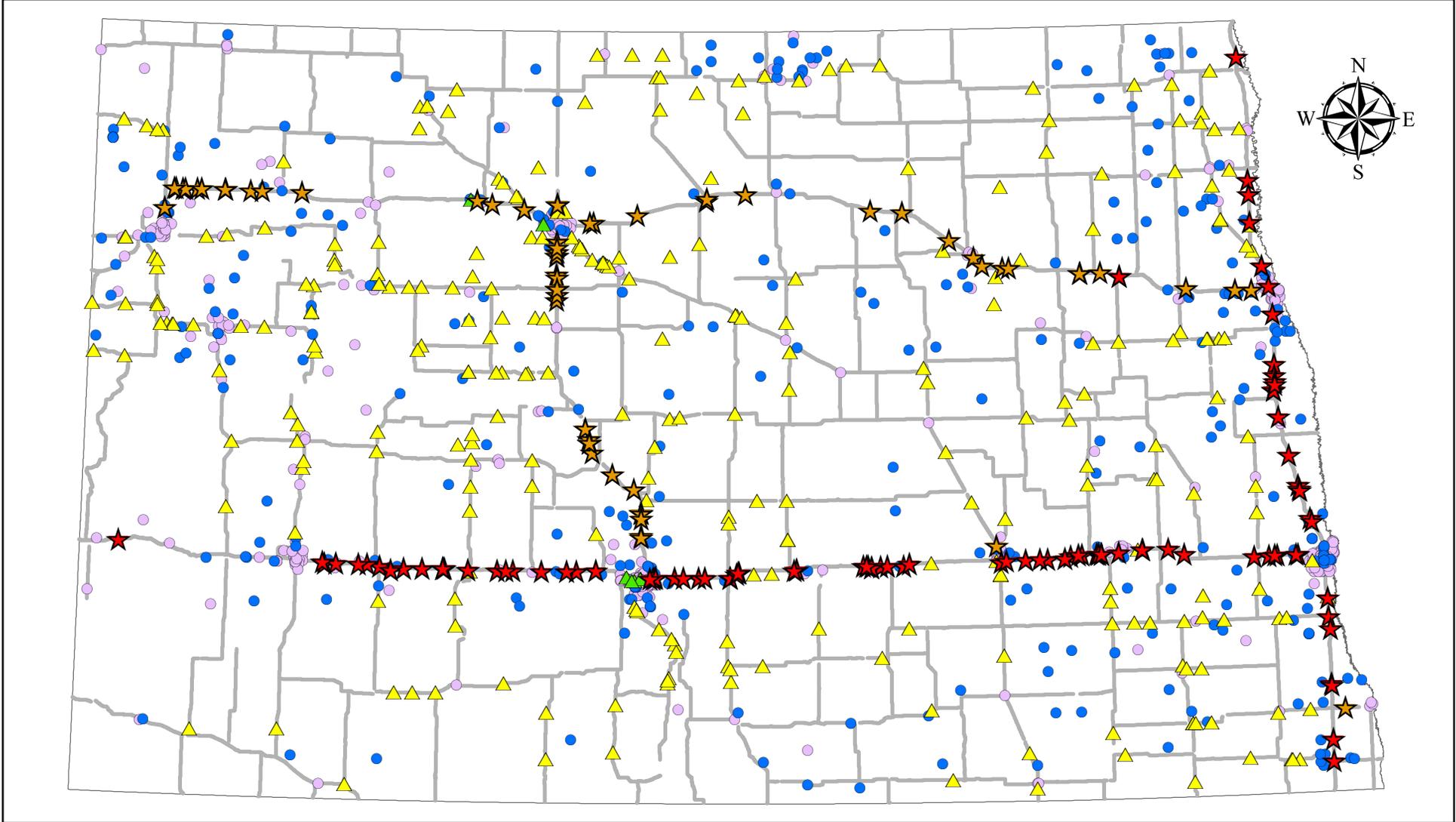
Page 1, line 5, after "**SECTION**" replace "**1**" with "**2**"

Impact of HB 1475		
Speed of Vehicle	75 mph Fee Schedule 39-06.1-06 (7) Established 2003	80 MPH Speed Limit Fee Schedule
MPH	Fine	Fine
76	\$ 5	\$ -
77	\$ 10	\$ -
78	\$ 15	\$ -
79	\$ 20	\$ -
80	\$ 25	\$ -
81	\$ 30	\$ 5
82	\$ 35	\$ 10
83	\$ 40	\$ 15
84	\$ 45	\$ 20
85	\$ 50	\$ 25
86	\$ 55	\$ 30
87	\$ 60	\$ 35
88	\$ 65	\$ 40
89	\$ 70	\$ 45
90	\$ 75	\$ 50
91	\$ 80	\$ 55
92	\$ 85	\$ 60
93	\$ 90	\$ 65
94	\$ 95	\$ 70
95	\$ 100	\$ 75
96	\$ 105	\$ 80
97	\$ 110	\$ 85
98	\$ 115	\$ 90
99	\$ 120	\$ 95
100	\$ 125	\$ 100
101	\$ 130	\$ 105
101	\$ 135	\$ 110
103	\$ 140	\$ 115
104	\$ 145	\$ 120
105	\$ 150	\$ 125
106	\$ 155	\$ 130
107	\$ 160	\$ 135
108	\$ 165	\$ 140
109	\$ 170	\$ 145
110	\$ 175	\$ 150
111	\$ 180	\$ 155
112	\$ 185	\$ 160
113	\$ 190	\$ 165
114	\$ 195	\$ 170
115	\$ 200	\$ 175
116	\$ 205	\$ 180
117	\$ 210	\$ 185
118	\$ 215	\$ 190
119	\$ 220	\$ 195
120	\$ 225	\$ 200
121	\$ 230	\$ 205
122	\$ 235	\$ 210
123	\$ 240	\$ 215
124	\$ 245	\$ 220
125	\$ 250	\$ 225

Impact of HB 1475 on SB 2168		
Speed of Vehicle	75 MPH Zone Enhanced Fine	80 MPH Zone Enhanced Fine
MPH	Fine	Fine
76	\$ 5	\$ -
77	\$ 10	\$ -
78	\$ 15	\$ -
79	\$ 20	\$ -
80	\$ 25	\$ -
81	\$ 30	\$ 5
82	\$ 35	\$ 10
83	\$ 40	\$ 15
84	\$ 45	\$ 20
85	\$ 50	\$ 25
86	\$ 55	\$ 30
87	\$ 60	\$ 35
88	\$ 65	\$ 40
89	\$ 70	\$ 45
90	\$ 75	\$ 50
91	\$ 80	\$ 55
92	\$ 85	\$ 60
93	\$ 90	\$ 65
94	\$ 95	\$ 70
95	\$ 100	\$ 75
96	\$ 210	\$ 80
97	\$ 220	\$ 85
98	\$ 230	\$ 90
99	\$ 240	\$ 95
100	\$ 250	\$ 100
101	\$ 260	\$ 105
101	\$ 270	\$ 110
103	\$ 280	\$ 115
104	\$ 290	\$ 120
105	\$ 300	\$ 125
106	\$ 310	\$ 130
107	\$ 320	\$ 135
108	\$ 330	\$ 140
109	\$ 340	\$ 145
110	\$ 350	\$ 150
111	\$ 360	\$ 155
112	\$ 370	\$ 160
113	\$ 380	\$ 165
114	\$ 390	\$ 170
115	\$ 400	\$ 175
116	\$ 410	\$ 180
117	\$ 420	\$ 185
118	\$ 430	\$ 190
119	\$ 440	\$ 195
120	\$ 450	\$ 200
121	\$ 460	\$ 205
122	\$ 470	\$ 210
123	\$ 480	\$ 215
124	\$ 490	\$ 220
125	\$ 500	\$ 225

Severe Crashes by Speed Limit

23 USC § 407 Documents
 NDDOT Reserves All Objections



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%

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