



Zero fatalities. Zero excuses.

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.](#)



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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 67th 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.](#)



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NORTH DAKOTA SPEEDING FINES									
	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		
MPH Over	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					



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	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	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						



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School Zone Fines 39-06.1-06 (8) First Established 2001			
MPH Over	Fine	Children Present	Cities
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
Current fee that hasn't been raised under 40-05-06			
When children present a minimum \$40 unless greater fee applicable			
Proposed new fine and currently what cities are allowed under 40-05-06 when children are present			

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 50th percentile speed is about 78 mph and the 85th percentile speed is about 82 mph. (Source: NDDOT Planning/Asset Management Division)

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

I-94 ATR Sites;

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

I-29 ATR Sites;

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

I-94 WIM Sites;

- | | |
|--|----------|
| • Belfield EB only, RP 34.7 = >85 th percentile speed | 82.0 mph |
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I-29 WIM Sites;

- | | |
|---|----------|
| • Joliet SB only, RP 207.8 = >85 th percentile speed | 79.0 mph |
|---|----------|