

TESTIMONY OF

Diana Trussell, Solid Waste Program Manager

Good afternoon Chairman Patten and members of the Senate Energy and Natural Resources Committee. My name is Diana Trussell and I am the Solid Waste Program Manager of the Department of Environmental Quality. I am here to testify in support of Senate Bill 2118.

The changes to North Dakota Century Code Section 23.1-15-01, Section 23.1-15-03, Section 23.1-15-04, Subsection 1 of Section 23.1-15-05, Subsection 1 of Section 23.1-15-07, Section 23.1-15-08 and Section 23.1-15-09 were submitted at our request and in collaboration with the Highway Patrol and the Department of Transportation. I will be addressing the proposed amendments to NDCC Section 23.1-15-01, Section 23.1-15-04, Section 23.1-15-08 and Section 23.1-15-09. A representative from Highway Patrol will be addressing the proposed amendments to NDCC Section 23.1-15-03, Subsection 1 of Section 23.1-15-05 and Subsection 1 of Section 23.1-15-07.

NDCC 23.1-15-01

The amendment requested in **Section 1** clarifies the definition of abandoned motor vehicle, defines permitted scrap iron processor, scrap tire, and submerged vehicle, and eliminates the definition of vital component parts, already a part of the abandoned motor vehicle definition.

NDCC 23.1-15-04

The amendment requested in **Section 3** addresses when an abandoned motor vehicle may be disposed of immediately and that it is not eligible for storage cost reimbursement. Incorporating a value on the abandoned motor vehicle versus the age, and determining if the vehicle is missing vital component parts will allow prompt disposal of junk vehicles rather than risk their indefinite storage.

NDCC 23.1-15-08

The amendment requested in **Section 6** clarifies vehicles as meaning abandoned motor vehicles. It also clarifies that the Department issues permits rather than licenses for scrap iron processors.

NDCC 23.1-15-09

The amendment requested in **Section 7** again clarifies that the Department issues permits for qualified scrap iron processors instead of licenses. This amendment also allows units of government to request reimbursement for the collection and disposal of scrap tires. It further clarifies that while the Department does not contract with commercial towing services for the removal and disposal of abandoned motor vehicles, the Department may reimburse for those services if the owner, lienholder, or secured parties of the abandoned motor vehicle cannot be identified.

To date, the Department has received reimbursement requests from commercial towing services that total over \$210,000, which nearly exceeds the amount appropriated each biennium. Many reimbursement requests are for abandoned motor vehicles where the owner is known but has not claimed the vehicle. The reimbursement funds are limited, and the Department works to stretch those funds out for maximize benefit. The requested changes also clearly state that reimbursement must be requested on the Department's form and that reimbursements are subject to the limitations of legislative appropriations and the Department's discretion.

Most years, the Department receives calls regarding submerged vehicles and how to remove them if the owner does not do so. The Department developed a policy to address this. We now ask it be added to the law to clarify the Department's and the owner's responsibilities for those situations. The changes in this bill provide two paths the Department may proceed with depending on whether or not there is an owner to claim the vehicle.

In **Section 8**, the Department is requests this act to be declared an emergency measure to support the needs of Highway Patrol. Their representative will further explain those needs.

Mr. Chairman and committee members, this concludes my testimony. I ask for your support for Senate Bill 2118 with the requested amendments. I would be happy to answer any questions.