

2021 SENATE TRANSPORTATION

SB 2094

2021 SENATE STANDING COMMITTEE MINUTES

Transportation Committee Fort Totten Room, State Capitol

SB 2094
1/7/2021

A BILL for an Act to amend and reenact section 39-29-10 of the North Dakota Century Code, relating to the issuance of off-highway vehicle safety certificates by the parks and recreation department for completion of an off-highway vehicle safety training course.

Chair Clemens calls the meeting to order. Present are Chair Clemens, Vice Chair Fors, Senators Bakke, Conley, Dwyer, D. Larsen. [2:22]

Discussion Topics:

- Youth safety certificates for off-highway motorized vehicles
- Issuance of youth safety certificates for off-highway motorized vehicles by the parks and recreation department

Anton Hillig [2:22], Motorized Recreation Coordinator at ND Parks and Recreation introduces the bill and submits testimony #209.

Robin Rehborg [2:25], Deputy Director for Driver Safety, testifies in favor of SB 2094 and submits testimony #165.

Additional written testimony: N/A

Senator Bakke [2:28] motions DO PASS to SB 2094.

Senator Dwyer [2:28] seconds the motion.

Senators	Vote
Senator David Clemens	Y
Senator Robert Fors	Y
Senator Cole Conley	Y
Senator Michael Dwyer	Y
Senator Doug Larsen	Y
Senator JoNell Bakke	Y

The motion passes 6-0-0. [2:28]

Senator Bakke [2:29] will carry.

Chair Clemens adjourns the meeting on SB 2094. [2:29]

Sheldon Wolf, Committee Clerk

REPORT OF STANDING COMMITTEE

SB 2094: Transportation Committee (Sen. Clemens, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2094 was placed on the Eleventh order on the calendar.

**SB 2094:
North Dakota Parks and Recreation Department
Senate Transportation Committee
Fort Totten Room, 2:00 PM
Thursday, January 7, 2021**

Good afternoon Chairman Clemens and members of the committee, my name is Anton Hillig, Motorized Recreation Coordinator for the North Dakota Parks and Recreation Department. I am testifying on behalf of the Department in support of SB 2094 which requests a clerical change to N.D.C.C. §39-29-10.

The North Dakota Parks and Recreation Department (NDPRD) has the responsibility to conduct the youth off-highway vehicles (OHV) safety course as described in N.D.C.C. §39-29-10. SB 2094 aligns the responsibility for subsequent issuance of a safety certificate also to the NDPRD, as is the current and historical practice. The department has conducted the state's OHV youth safety program since 1989 with internal records of certificate issuance since 2003.

The department continues to conduct OHV safety training for youth ages 12-15 as prescribed by the Director of the NDPRD and in accordance with the American Safety Institute for All-Terrain Vehicles. While we do honor adjacent state certifications, the two prescribed courses for North Dakota are the hands-on course instructed by the Motorized Recreation Coordinator in our local communities or the online version of the course presented by Fresh-Air educators specifically for the residents of North Dakota (66% of course attendance).

As an example of course completion, the 19-21 Biennium saw 646 youth certified through our instruction courses with completion certificates issued by the Director of the NDPRD. In FY 20 alone, we conducted eleven (11) in-person courses totaling 97 students, which is our preferred method of instruction as it engages partnerships with local law enforcement, strengthens community outreach, and exercises our partnership with the Jake Star Foundation.

Regardless of the safety instruction method, once youth complete and pass the course material, graduates are currently issued a safety certificate by our department. Currently, the Century Code assigns the responsibility of issuing a safety certificate to the North Dakota Department of Transportation (NDDOT), however as stated previously NDPRD has been issuing the certifications once courses are completed and passed.

Returning certificate issuance to the NDDOT as described in the current N.D.C.C. would limit NDPRD centralized tracking and distribution of certificates and consequently delay the timely reception of safety certificates that are a requirement for youth to ride in our state.

At present, in practice, the OHV youth safety program responsibility rests solely with the NDPRD. In a continued effort to streamline our processes and provide our citizens with the best customer service, we request to retain the responsibility for issuing OHV safety certificates and cement this practice with amending N.D.C.C. §39-29-10 to reflect current practice.

Mr. Chairman this concludes my remarks; I would be pleased to answer any questions the committee may have. Thank you for your time and consideration.

HOUSE TRANSPORTATION COMMITTEE

January 7, 2021 – 2:00 PM

Fort Totten Room

**North Dakota Department of Transportation
Robin Rehborg, Deputy Director for Driver Safety
SB 2094**

Good morning Chairman Clemens and members of the committee. I'm Robin Rehborg, Deputy Director for Driver Safety with the North Dakota Department of Transportation (NDDOT). I'm here to provide information related to SB 2094. Thank you for giving me the opportunity to address you today.

SB 2094 amends and reenacts section 39-29-10 of the North Dakota Century Code, relating to the issuance of off-highway vehicle safety certificates by the parks and recreation department for completion of an off-highway vehicle safety training course.

The NDDOT has discussed this bill with North Dakota Parks and Recreation and supports the bill. Proposed changes would accurately reflect the parks and recreation department as the agency responsible for issuing off-highway vehicle safety training certificates after completion of a safety training course. To my knowledge, the NDDOT has never issued these certificates.

I'm happy to respond to any questions you may have.

Thank you.

2021 HOUSE TRANSPORTATION

SB 2094

2021 HOUSE STANDING COMMITTEE MINUTES

Transportation Committee
Room JW327E, State Capitol

SB 2094
030421

A bill relating to the issuance of off-highway vehicle safety certificates by the parks and recreation department for completion of an off-highway vehicle safety training course.

9:15 AM Chairman Ruby opened the hearing.

Attendance

Representatives	
Representative Dan Ruby	P
Representative Tom Kading	P
Representative Rick Becker	P
Representative Cole Christensen	P
Representative LaurieBeth Hager	P
Representative Jared C. Hagert	P
Representative Karla Rose Hanson	P
Representative Terry B. Jones	P
Representative Emily O'Brien	P
Representative Mark S. Owens	P
Representative Bob Paulson	P
Representative Gary Paur	P
Representative Robin Weisz	A
Representative Greg Westlind	P

Discussion Topics:

- OHV Safety Training
- ND Parks and Recreation retention of issuance of safety certificates

Anton Hillig, ND Parks and Recreation, introduction. Testimony # 7339

Robin Rehborg, Deputy Director for Driver Safety for Department of Transportation, supportive testimony. # 7317

9:28 Hearing closed.

Representative Hagert moved a Do Pass.

Representative Owens seconded.

Representatives	Vote
Representative Dan Ruby	Y
Representative Tom Kading	Y
Representative Rick Becker	Y
Representative Cole Christensen	Y

Representative LaurieBeth Hager	Y
Representative Jared C. Hagert	Y
Representative Karla Rose Hanson	Y
Representative Terry B. Jones	Y
Representative Emily O'Brien	Y
Representative Mark S. Owens	Y
Representative Bob Paulson	Y
Representative Gary Paur	Y
Representative Robin Weisz	A
Representative Greg Westlind	Y

Motion Carried 13-0-1 Representative Hager carrier.

9:29 Adjourned

Jeanette Cook, Committee Clerk

REPORT OF STANDING COMMITTEE

SB 2094: Transportation Committee (Rep. D. Ruby, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2094 was placed on the Fourteenth order on the calendar.

**SB 2094:
North Dakota Parks and Recreation Department
House Transportation Committee
Room JW327E, 09:15 am
Thursday, March 4, 2021**

Good morning Chairman Ruby and members of the committee, my name is Anton Hillig, Motorized Recreation Coordinator for the North Dakota Parks and Recreation Department. I am testifying on behalf of the Department in support of SB 2094 which requests a clerical change to N.D.C.C. §39-29-10.

The North Dakota Parks and Recreation Department (NDPRD) has the responsibility to conduct the youth off-highway vehicles (OHV) safety course as described in N.D.C.C. §39-29-10. SB 2094 aligns the responsibility for subsequent issuance of a safety certificate also to the NDPRD, as is the current and historical practice. The department has conducted the state's OHV youth safety program since 1989 with internal records of certificate issuance since 2003.

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Regardless of the safety instruction method, once youth complete and pass the course material, graduates are currently issued a safety certificate by our department. Currently, the Century Code assigns the responsibility of issuing a safety certificate to the North Dakota Department of Transportation (NDDOT), however as stated previously NDPRD has been issuing the certifications once courses are completed and passed.

At present, in practice, the OHV youth safety program responsibility rests solely with the NDPRD. In a continued effort to streamline our processes and provide our citizens with the best customer service, we request to retain the responsibility for issuing OHV safety certificates and cement this practice with amending N.D.C.C. §39-29-10 to reflect current practice.

Mr. Chairman this concludes my remarks; I would be pleased to answer any questions the committee may have. Thank you for your time and consideration.

HOUSE TRANSPORTATION COMMITTEE**March 4, 2021 – 9:15 AM****Room 327E****North Dakota Department of Transportation
Robin Rehborg, Deputy Director for Driver Safety****SB 2094**

Good morning Chairman Ruby and members of the committee. I'm Robin Rehborg, Deputy Director for Driver Safety with the North Dakota Department of Transportation (NDDOT). I'm here to provide information related to SB 2094. Thank you for your time today.

SB 2094 amends and reenacts section 39-29-10 of the North Dakota Century Code, relating to the issuance of off-highway vehicle safety certificates by the parks and recreation department for completion of an off-highway vehicle safety training course.

The NDDOT has discussed this bill with North Dakota Parks and Recreation and has no concerns. Proposed changes would accurately reflect the parks and recreation department as the agency responsible for issuing off-highway vehicle safety training certificates after completion of a safety training course. To my knowledge, the NDDOT has never issued these certificates.

This concludes my testimony and I would be happy to answer any questions, thank you.