

2023 HOUSE TRANSPORTATION

HB 1346

2023 HOUSE STANDING COMMITTEE MINUTES

Transportation Committee
Room JW327E, State Capitol

HB 1346
1/19/2023

A bill relating to snowmobile registration exemption and penalties.

Chairman D. Ruby opened the hearing at 9:02 AM.

Members present: Chairman Ruby, Representatives Anderson, Christensen, Dyk, Frelich, Hauck, Koppelman, Murphy, Timmons, Wagner, Weisz, Dakane, Dobervich. **Members absent:** Vice Chairman Grueneich.

Discussion Topics:

- Snowmobile registration fees
- Snowmobile permits
- Out of state residents
- Registration penalties

Representative Murphy introduced bill in support (#14453).

Tony Hillig, Motorized Division with North Dakota Parks and Recreation, answered questions from the committee.

Representative Murphy continued his testimony.

Cody Schulz, Director of North Dakota Parks and Recreation, testified in opposition (#14508).

Additional written testimony:

Brandon Thorvilson, testimony in support #14415.

Chairman Ruby closed the hearing at 9:24 AM.

Mary Brucker, Committee Clerk

2023 HOUSE STANDING COMMITTEE MINUTES

Transportation Committee
Room JW327E, State Capitol

HB 1346
1/26/2023

A bill relating to snowmobile registration exemption and penalties.

Chairman D. Ruby opened the meeting at 11:43AM.

Members present: Chairman Ruby, Vice Chairman Grueneich, Representatives Anderson, Christensen, Dyk, Frelich, Hauck, Murphy, Timmons, Wagner, Weisz, Dakane.
Members absent: Representatives Koppelman and Dobervich.

Discussion Topics:

- Proposed amendment #

Representative Murphy proposed an amendment. (23.0905.01001) (#17495)

Representative K. Anderson moved amendment

Representative Wagner 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	AB
Representative Scott Dyk	Y
Representative Kathy Frelich	Y
Representative Dori Hauck	Y
Representative Ben Koppelman	AB
Representative Eric James Murphy	Y
Representative Kelby Timmons	Y
Representative Scott Wagner	Y
Representative Robin Weisz	Y

Motion carried 12-0-2

Representative Hauck moved a Do Pass as Amended.

Representative Dakane seconded the motion.

Roll call vote:

Representatives	Vote
Representative Dan Ruby	Y
Representative Jim Grueneich	Y
Representative Karen A. Anderson	Y
Representative Cole Christensen	N
Representative Hamida Dakane	Y
Representative Gretchen Dobervich	AB
Representative Scott Dyk	N
Representative Kathy Frelich	N
Representative Dori Hauck	Y
Representative Ben Koppelman	AB
Representative Eric James Murphy	Y
Representative Kelby Timmons	N
Representative Scott Wagner	Y
Representative Robin Weisz	N

Motion carried. 7-5-2 Carrier: Representative Hauck

Chairman D. Ruby closed the meeting at 11:46 AM.

Mary Brucker, Committee Clerk

January 26, 2023

24-1-26-23

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1346

Page 1, line 11, remove "an"

Page 1, line 11, overstrike "individual" and insert immediately thereafter "the snowmobile"

Page 1, line 11, overstrike "operating the snowmobile within" and insert immediately thereafter "operated on public lands within"

Page 1, line 12, after "b." insert "For up to five business days after purchasing an out-of-state public trails and lands access permit, an online receipt or printed receipt may be presented in lieu of the official permit until the official permit is received."

c."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1346: Transportation Committee (Rep. D. Ruby, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 5 NAYS, 2 ABSENT AND NOT VOTING). HB 1346 was placed on the Sixth order on the calendar.

Page 1, line 11, remove "an"

Page 1, line 11, overstrike "individual" and insert immediately thereafter "the snowmobile"

Page 1, line 11, overstrike "operating the snowmobile within" and insert immediately thereafter "operated on public lands within"

Page 1, line 12, after "b." insert "For up to five business days after purchasing an out-of-state public trails and lands access permit, an online receipt or printed receipt may be presented in lieu of the official permit until the official permit is received."

c."

Renumber accordingly

2023 SENATE TRANSPORTATION

HB 1346

2023 SENATE STANDING COMMITTEE MINUTES

Transportation Committee
Fort Totten Room, State Capitol

HB 1346
3/10/2023

Relating to snowmobile registration exemption and penalties.
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9:01 AM Chairman Clemens opened hearing.

Senators Present: **Clemens, Conley, Larsen, Rummel, Paulson.**

Discussion Topics:

- Unregistered snowmobiles
- Public trail use

10:15 AM Representative Murphy introduced bill. #23561

10:24 AM Tony Hillig, Division Chief for ND Department of Parks and Recreation, verbally testified in favor.

10:26 AM Representative Murphy answered questions.

10:28 AM Chairman Clemens adjourned hearing.

Nathan Liesen, Committee Clerk

2023 SENATE STANDING COMMITTEE MINUTES

Transportation Committee
Fort Totten Room, State Capitol

HB 1346
3/23/2023

Relating to snowmobile registration exemption and penalties; and to provide a penalty.

9:54 AM Chairman Clemens opened the meeting

Senators present: **Clemens, Conley, Larsen, Rummel, Paulson.**

Discussion Topics:

- Snow mobile tag
- Committee Action

9:54 AM Senator Clemens provided additional information. #26438

10:09 AM Senator Rummel moved DO PASS.

10:09 AM Senator Conley seconded.

Roll call vote

Senators	Vote
Senator David A. Clemens	Y
Senator Cole Conley	Y
Senator Doug Larsen	Y
Senator Bob Paulson	Y
Senator Dean Rummel	Y

Passed 5-0-0

Senator Rummel will carry the bill.

10:10 AM Chairman Clemens closed the meeting.

Nathan Liesen, Committee Clerk

REPORT OF STANDING COMMITTEE

HB 1346, as engrossed: Transportation Committee (Sen. Clemens, Chairman)
recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING).
Engrossed HB 1346 was placed on the Fourteenth order on the calendar. This bill
does not affect workforce development.

TESTIMONY

HB 1346

Snowmobiling is a popular winter activity in North Dakota, with many of out-of-state snowmobilers visiting the state each year to take advantage of its vast trail system. However, maintaining and improving this trail system is a costly endeavor. One way to help offset these costs is through the use of trail permits for out-of-state snowmobiles.

Currently, the out of state trail permit consists of an online license that is printed and carried with you or tucked away on the snowmobile for safe keeping. As a snowmobiler, I've learned many people are unaware that there is a trail permit fee for out of state snowmobiles. A trail permit sticker **displayed on the snowmobile** would be a good way to help others become aware of the permits, and would be an easy way for authorities to identify snowmobilers that are following the law.

The fee for the permit helps to fund the maintenance and improvement of the trail system, including grooming, signage, and other trail needs.

Testimony for Hearing on HB1346

Primary Sponsor: Eric J. Murphy, District 43

Thank you, Chairman Ruby and my honorable colleagues. For the record, my name is Eric James Murphy, representative from District 43, Grand Forks.

While I am not a snowmobile enthusiast and must confess I have never ridden a snowmobile, it does look like it would be a bit of a thrill ride. However, one of my constituents is an avid snowmobile enthusiast and noted that it is difficult to discern if someone from out of state has paid the required public trails and land access use permit fee. While he certainly wants to share the over 2800 miles of groomed trails in North Dakota with our visitors, he understands it takes the dedicated service of 14 snow mobile clubs from around the state to maintain these trails.

In North Dakota, the Department of Parks and Recreation, with the help of 14 snow mobile clubs around the state, groom over 13 snowmobile trails that are just over 2800 miles in total length. These trails are generally open from December 1st through April 1st and are open to North Dakota residents with registered snowmobiles and our visitors from out-of-state who have a paid public trails and land access use permit.

For North Dakota residents, a fee of \$50 is assessed to register their snowmobile for a two-year period. This registration must be firmly affixed to the side of the snowmobile and displayed in a manner that is discernable and this registration allow for the complete use of the snowmobile trail system. Failure to display results in a \$50 fine.

For our out-of-state snowmobile enthusiasts, the cost of a public trails and land access use permit is \$25 yearly and presently does not have to be displayed on the snowmobile. This makes it difficult for other snowmobilers and law enforcement to determine who has and who has not paid the \$25 fee. In the last three years, 334 permits have been sold and 10 citations for use without a permit have been issued since 2018.

This bill requires out-of-state snowmobile enthusiasts to display the public trails and land access use permit on their snowmobile consistent with what is required by North Dakota residents. This is delineated in 39-24-04 see Section 1, 3a of the bill.

Failure to display the public tails and land access use permit will be assessed a fine (fee) of \$50, again, consistent with the penalty for North Dakota residents who fail to display their registration decal. This penalty is delineated in 39-24-11 see Section 2, 2 of the bill.

In addition, unnecessary language was deleted from these sections as well in this updated section of North Dakota Century Code.

In summary, while we embrace all users of our over 2800 miles of snowmobile trails found in 13 trail systems, it is important to apply the same rules of use to North Dakota residents and to our out-of-state visitors. User fees help offset the cost of maintaining this system and it is important that all users help pay this cost.

Testimony – HB 1346
House Transportation Committee
January 19, 2023
By Cody Schulz
Director, ND Parks and Recreation

Good morning Chairman Ruby and members of the House Transportation Committee, my name is Cody Schulz. I am the Director of the North Dakota Parks & Recreation Department. I offer this testimony in opposition to HB 1346 as it is currently written.

I understand the motivation for the proposed changes to out of state snowmobile registration, but I do have concerns that the unintended consequences to our operations and enforcement could outweigh the benefits. I have two primary concerns. First, our current operations are almost exclusively virtual – people can purchase a permit online and carry an electronic or printed copy of the permit as proof of purchase. If a physical permit is required to be processed and mailed it would entail a minimum of a three-day turn-around for processing and mailing and could result in people not adhering to the permit requirements for spur of the moment trips into North Dakota. Simply put, the current process is simple for the consumer and operationally efficient for the ND Parks and Recreation team. Secondly, there is currently symmetry between the out-of-state public trails and lands access permit process for snowmobiles and for Off-Highway Vehicles (OHVs) governed by NDCC 39-29. If this bill were to pass, we would have inconsistent requirements for the same purpose based on the vehicle type.

For your consideration, I have also included some statistics for the past few years out-of-state public trails and lands access permits.

Yearly Average Snowmobile Permits Sold	111
Yearly Average OHV Permits Sold	307

On behalf of North Dakota Parks and Recreation, I recommend HB 1346, as written, receive a Do Not Pass. I would gladly participate in committee meetings to draft amendments to ensure that this or any other bill of this nature does not have unintended and negative consequences in regards to safety and enforcement.

Thank you for your time; I will do my best to answer any questions you may have.

23.0905.01001
Title.02000

Adopted by the House Transportation
Committee

January 26, 2023

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1346

Page 1, line 11, remove "an"

Page 1, line 11, overstrike "individual" and insert immediately thereafter "the snowmobile"

Page 1, line 11, overstrike "operating the snowmobile within" and insert immediately thereafter "operated on public lands within"

Page 1, line 12, after "b." insert "For up to five business days after purchasing an out-of-state public trails and lands access permit, an online receipt or printed receipt may be presented in lieu of the official permit until the official permit is received.

c. "

Renumber accordingly

Testimony for Hearing on HB1346

Primary Sponsor: Eric J. Murphy, District 43

Thank you, Chairman Clemens and honorable members of the Senate Transportation Committee. For the record, my name is Eric James Murphy, representative from District 43, Grand Forks.

I was asked by a constituent to introduce this bill. He is an avid snowmobile enthusiast and rides nearly every weekend on the trails in the Red River Valley. He noted that there are many riders from out-of-state using these trails, most of whom he knows do not pay the \$25 yearly user fee. This presents a problem as these fees are used to offset the costs of maintain our 2800 miles of groomed trails.

While he certainly wants to share the over 2800 miles of groomed trails in North Dakota with our visitors, he understands it takes the dedicated service of 14 snow mobile clubs from around the state to maintain these trails.

In North Dakota, the Department of Parks and Recreation, with the help of 14 snow mobile clubs around the state, groom over 13 snowmobile trails that are just over 2800 miles in total length. These trails are generally open from December 1st through April 1st and are open to North Dakota residents with registered snowmobiles and our visitors from out-of-state who have paid for a public trails and land access use permit.

For North Dakota residents, a fee of \$50 is assessed to register their snowmobile for a two-year period. This registration must be firmly affixed to the side of the snowmobile and displayed in a manner that is discernable and this registration allows for the complete use of the snowmobile trail system. Failure to display the registration results in a \$50 fine.

For our out-of-state snowmobile enthusiasts, the cost of a public trails and land access use permit is \$25 yearly and presently does not have to be displayed on the snowmobile. This makes it difficult for other snowmobilers and law enforcement to discern who has and who has not paid the \$25 fee. In the last three years, 334 permits have been sold and 10 citations for use without a permit have been issued since 2018.

This bill requires out-of-state snowmobile enthusiasts to display the public trails and land access use permit on their snowmobile consistent with what is required by North Dakota residents. This is delineated in 39-24-04 see Section 1, 3a of the bill. Prior to receiving the decal form of their permit, they have a five-day grace period where the online receipt may be presented in lieu of the decal.

Failure to display the public trails and land access use permit will be assessed a fine (fee) of \$50, again, consistent with the penalty for North Dakota residents who fail to display their registration decal. This penalty is delineated in 39-24-11 see Section 2, 2 of the bill.

In addition, unnecessary language was deleted from these sections as well in this updated section of North Dakota Century Code.

In summary, while we embrace all users of our over 2800 miles of snowmobile trails found in 13 trail systems, it is important to apply the same rules of use to North Dakota residents and to our out-of-state visitors. User fees help offset the cost of maintaining this system and it is important to collect these fees from all users of the public trail system.

While I am not a snowmobile enthusiast and must confess, I have never ridden a snowmobile, it does look like it would be a bit of a thrill ride that all users help pay this cost. These changes make North Dakota similar in requirements for display of the out-of-state public trails use permits, similar to the requirements in Minnesota and in Montana.

Thank you for your consideration and I urge a do pass vote on HB1346.

