

TESTIMONY OF

**Sergeant Wade Kadrmas**

Good morning, Chairman Ruby and members of the House Transportation Committee, my name is Wade Kadrmas, and I am the Safety and Education Officer for the North Dakota Highway Patrol. I am here today on behalf of my agency to provide neutral testimony on House Bill 1253. Representative Klemin reached out to the patrol regarding our current laws relating to load securement for "aggregate" loads identified in the bill.

Under our current law, officers can only issue a citation for a violation of North Dakota Century Code (NDCC) 39-21-44.1 if the officer observed the contents of the load dropping, sifting, leaking, or otherwise escaping from the load. This is considered a moving violation and the assigned fee is twenty dollars.

The NDHP receives reports from across the state each year about "aggregate" loads flying off the load and damaging vehicle windows of other motorists. These reports usually start when construction season begins and continue through the end of the season. Many times, it is hard to track down the vehicles responsible unless someone can get a license plate or even the name of a company. If we can track them down, then the usual process is to provide the owner and driver information to the complainant, if we are able to determine it was the vehicle with the unsecured load that caused the damage.

On occasion, troopers may be in the right place at the right time and observe material flying off the load and are able to enforce the violation. Over the past five years (2017-2021), the NDHP has issued 358 citations and 283 warnings for this violation.

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