

TESTIMONY OF

Captain Luke Hendrickson, NDHP

Good morning, Chairman Ruby and members of the committee. My name is Luke Hendrickson and I serve as the administrative services division commander for the North Dakota Highway Patrol. I am here to provide testimony in support of Senate Bill 2053.

As you can see, the bill is 46 pages, but I will break it down to two areas. First, the purpose of this bill is to revise the term from highway patrolman to highway patrol trooper. Secondly, the bill would change the term accident to crash.

The term patrolman is not a reflection of our agency, considering we are made up of both men and women. This language change is just one step in the process that the highway patrol is doing to ensure females are welcomed into the agency. The term trooper is inclusive of both males and females. Quite frankly, this change should have been discussed in 1979 when the first female officer was hired to join the ranks of the highway patrol.

The change of the term accident to crash is a continuation of a transition that occurred last session in HB 1098 when there were other changes made to the law specifically regarding crash reporting. As explained last session, the term "accident" implies that the event occurred unexpectedly or by chance while the term "crash" means there are identifiable contributing factors. Not all crashes are accidents. Crashes that involve things such as impaired, distracted, speeding, reckless, and drivers who fail to yield are not accidents. Although most crashes are likely unintentional, they certainly aren't accidental. A crash that doesn't have a clear contributing human related factor, could be considered accidental, but it is still a crash.

This bill will revise all other sections of century code that reference motor vehicle accidents and replace them with crashes. The change in terminology is supported by the Vision Zero initiative. The National Highway Traffic Safety Administration (NHTSA) has officially used the term since 1997. The most recent data I was able to find indicates that, as of 2016, 28 states have transitioned away from the term accident and use crash.

We worked with legislative council to ensure we had an all-inclusive list in which these two terms are used, and what you have before you today is a bill that only changes the two terms throughout century code.

After the passage of this bill by the Senate 47-0, there was one area discovered in need of correction, and I've included a possible amendment at the end of my testimony to correct the error. On Page 5, line 3, after "~~patrolmen~~" insert "patrol" and renumber accordingly.

A couple of days ago there was a meeting with Mr. John Ward and representatives from State Farm Insurance about a potential amendment being brought forward to address concerns that the company has with moving away from the term accident in the areas addressed in Chapter 26.1 in NDCC. Those changes begin on line 12 of page 5 and end on line 13 of page 10 of this bill. I believe that Mr. Ward will provide additional information this morning regarding the proposed changes. It is unknown if we would be in support of the amendments or oppose them at this time.

This concludes my testimony, I'd appreciate your support of this bill, and I would be glad to answer any questions you may have.

23.8066.01001
Title.

Prepared by the Legislative Council staff for
Senator K. Roers
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PROPOSED AMENDMENTS TO SENATE BILL NO. 2053

Page 5, line 3, after "~~patrolmen~~" insert "patrol"

Renumber accordingly