

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION  
SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

4030

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10/23/03  
Date

2003 SENATE TRANSPORTATION

SCR 4030

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2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SCR 4030

Senate Transportation Committee

Conference Committee

Hearing Date 2-14-03

Tape Number	Side A	Side B	Meter #
1		X	420-880

Committee Clerk Signature *Mary K Monson*

Minutes:

**Chairman Senator Thomas Trenbeath** opened the hearing on SCR 4030 directing the Legislative Council to study the requirements for the registration and licensing of snowmobile and all-terrain vehicle dealers.

**Keith Kiser** (ND DOT) Presented and testified in support of SCR 4030. Except for snowmobiles and ATV's, there are some rather comprehensive laws to relate to the regulatory authority and what dealers are required to do. (Attached is a copy of the laws as they relate to snowmobile and ATV dealers.)

The hearing on SCR 4030 was closed.

**Senator Bercler** moved a **Do Pass**. Seconded by **Senator Taylor**. Roll call vote 6-0-0.

**Passed**. Floor carrier is **Senator Bercler**.

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**REPORT OF STANDING COMMITTEE (410)**  
February 14, 2003 1:10 p.m.

Module No: SR-29-2766  
Carrier: Bercler  
Insert LC: . Title: .

**REPORT OF STANDING COMMITTEE**  
**SCR 4030: Transportation Committee (Sen. Trenbeath, Chairman) recommends DO**  
**PASS (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4030 was placed on**  
**the Eleventh order on the calendar.**

(2) DESK, (3) COMM

Page No. 1

SR-29-2766

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Deanna Gillespie  
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2003 HOUSE TRANSPORTATION

SCR 4030

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Operator's Signature

10/23/03  
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SCR 4030

House Transportation Committee

Conference Committee

Hearing Date March 6, 2003

Tape Number	Side A	Side B	Meter #
2	x		14.5 to 19.9
	x		28.8 to 30.0
Committee Clerk Signature <i>Laura H. Zide</i>			

Minutes:

Rep. Weisz opened the hearing on SCR 4030, a concurrent resolution directing the Legislative Council to study the requirements for the registration and licensing of snowmobile and all-terrain vehicle dealers.

Keith Kiser, Director of the Motor Vehicle Division of the North Dakota Department of Transportation speaking in support of SCR 4030 which was introduced by Sen. Trenbeath at the request of the DOT. The intent of the resolution is to study the laws that relate to the licensing of snowmobiles and ATV dealers. The handout I handed out is a copy of the laws that relate to ATV and snowmobile dealers. The part on the bottom of the page is the law that applies to snowmobile dealers. As you can see there is very little that talks about requirements to be a dealer or what they should do. We believe it may be time to take a look at what the requirements to be dealer of snowmobiles and ATVs. This legislative body has put into place stringent requirements for new and used car dealers, mobile home dealers, trailer dealers, and -- we think

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House Transportation Committee  
Bill/Resolution Number SCR 4030  
Hearing Date March 6, 2003

it is important that we study this issue. You may ask why is it important at this time. Over the years we have had some problems with snowmobile dealers -- primarily with those dealers who go out of business. Under North Dakota law these dealers are not bonded in any way -- there is no recourse to go after them for fees or money collections the customer didn't get product or services for. We have a couple of cases -- 1 in 2000, 1 in 20001, and most recently we have an active case currently -- it is a multi-equipment dealer in Minot -- the Sport Shack who has gone out of business suddenly and unannounced. Many customer are left hanging with deposits for equipment they did not get. Customers have paid for vehicles for which they can not get titles for. Customers have paid fees and taxes for them --that money has not reached us. So I think it is time to look at this to see what is the appropriate thing to do.

Rep. Hawken: Why a study instead of a bill?

Keith Kiser: In the DOT we have a 'bubble up ' process for potential legislative ideas. Over the last 3 or 4 legislative session various ideas bubble up for consideration. Some time in that process this has been denied in the past -- this time it came up no but may you can somebody to sponsor a study for the need for legislation.

Rep. Thorne: Aren't snowmobile registered or licensed through the Parks and Recreation Department?

Keith Kiser: They are registered through our department but the money goes to the Parks and Recreation Department. The fee is \$20 -- we get \$3.00 for the administrative costs -- about 50 cents of that is for the decal. Then \$17 goes to the Parks and Rec. That is for a two year registration.

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10/23/03  
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House Transportation Committee  
Bill/Resolution Number SCR 4030  
Hearing Date March 6, 2003

There being no other persons wishing to testify either for or against HCR 4030, Chairman Weisz closed the hearing. ( 19.9 )

Action on HCR 4030 ( 28.8 )

Rep. DeImore a 'Do Pass as place on the consent calendar' motion. Rep Hawken seconded the motion. On a roll call vote the motion carried 11 Ayes 0 Nays 2 Absent and not voting. Rep. Price was designated to carry HCR 4030 on the floor.

End of record ( 30.0 )

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Date: 3/6/03  
Roll Call Vote #: 1

**2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. SCR-4030**

House TRANSPORTATION Committee

Check here for Conference Committee

Legislative Council Amendment Number 38387.0100

Action Taken Do Pass plus an Consent

Motion Made By Rep Delmore Seconded By Rep Hunter

Representatives	Yes	No	Representatives	Yes	No
Robin Weisz - Chairman	✓		Lois Delmore	✓	
Kathy Hawken - Vice Chairman	✓		Arlo E. Schmidt	✓	
LeRoy G. Bernstein	✓		Elwood Thorpe	✓	
Mark A. Dosch	✓		Steven L. Zaiser	✓	
Pat Galvin	✓				
Craig Headland	✓				
Clara Sue Price	✓				
Dan J. Ruby	✓				
Dave Weiler	A				

Total Yes 11 No 0

Absent 2

Floor Assignment Rep. Price

If the vote is on an amendment, briefly indicate intent:

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Deanna [Signature] Date 10/23/03  
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**REPORT OF STANDING COMMITTEE (410)**  
March 6, 2003 4:03 p.m.

Module No: HR-40-4168  
Carrier: Price  
Insert LC: . Title: .

**REPORT OF STANDING COMMITTEE**  
**SCR 4030: Transportation Committee (Rep. Weisz, Chairman) recommends DO PASS**  
**and BE PLACED ON THE CONSENT CALENDAR (11 YEAS, 0 NAYS, 2 ABSENT**  
**AND NOT VOTING). SCR 4030 was placed on the Tenth order on the calendar.**

(2) DESK, (3) COMM

Page No. 1

HR-40-4168

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2003 TESTIMONY

SCR 4030

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10/23/03  
Date

**39-24-03. Registration - Application - Issuance - Fees - Renewal.** Application for registration must be made to the department in a form as the department shall prescribe and furnish and must state the name and address of every owner of the snowmobile and be signed by at least one owner. A copy of the application must be carried on the person when operating and shall serve as evidence of registration for a period of not more than thirty days from the date of application.

Upon receipt of the application and the appropriate fee as hereinafter provided, the snowmobile must be registered and a registration number and a certificate of registration assigned. The registration number must be at least one and one-half inches [3.81 centimeters] in height and of a reflectorized material and must be securely affixed on each side of the forward half of the snowmobile in such position as to provide clear legibility for identification. The certificate of registration must include information regarding the make, year, serial number, and name and address of the owner. The fee for registration of each snowmobile must be three dollars for a registration period of two years beginning October first of each odd-numbered year effective October 1, 1991. To implement this section, on January 1, 1992, the department shall register each snowmobile registered before July 1, 1991, for a one-time period of twenty-one months.

The fee for initial registration of each snowmobile registered on and after October first of the second year of the two-year registration period must also be three dollars. The fee for a duplicate or replacement registration number or registration card which is lost, mutilated, or becomes illegible may not exceed three dollars. In addition, in each year that fees are collected for the unsatisfied judgment fund there must be assessed a fee of one dollar per year for each snowmobile registered, which must be placed in the unsatisfied judgment fund. For each snowmobile registered under the provisions of this chapter, there must be assessed a snowmobile trail tax in the amount of seventeen dollars.

Every owner of a snowmobile shall renew the registration in a manner as the department shall prescribe, upon payment of the same registration fees provided in this section.

Upon application for registration as prescribed in this section, any snowmobile dealer as defined in section 39-24-01 must be issued registration numbers distinctively marked as dealer's registration numbers upon payment of the appropriate fee as prescribed in this section. The dealer's registration numbers must be used only on snowmobiles owned by the dealership.

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10/23/03  
Date

**39-29-03. Registration - Application - Issuance - Fees - Renewal.**

1. Application for registration must be made to the department of transportation in the form the department prescribes and furnishes. The registration must state the name and address of every owner of the all-terrain vehicle and be signed by at least one owner. A copy of the application is evidence of registration for the first thirty days after the date of application.
2. On receipt of an application and the appropriate fee, the department shall register the all-terrain vehicle and assign a registration number and a certificate of registration. The certificate of registration must include information regarding the make, year, serial number, and name and address of the owner.
3. The fee for registration of each all-terrain vehicle is five dollars for a registration period of two years. For a duplicate or replacement registration number or registration card which is lost, mutilated, or becomes illegible, the department may charge a fee of not more than five dollars. For each all-terrain vehicle registered under this chapter, there is an all-terrain vehicle trail tax of five dollars.
4. The owner of an all-terrain vehicle shall renew the registration in the manner the department prescribes and pay the registration fees and applicable tax provided in subsection 3.
5. On application for registration as prescribed in subsection 2, and on payment of the amounts prescribed in subsection 3, an all-terrain vehicle dealer is entitled to be issued registration numbers distinctively marked as dealer's registration numbers. The dealer's registration numbers may be used only on all-terrain vehicles owned by the dealership.

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