2023 SENATE TRANSPORTATION

SB 2382

2023 SENATE STANDING COMMITTEE MINUTES

Transportation Committee
Fort Totten Room, State Capitol

SB 2382
2/2/2023

Relating to motorboat identification numbers and boating regulations and relating to exemptions for motorboat identification numbers and to provide a penalty.

9:00 AM Chairman Clemens opens hearing.

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

Discussion Topics:

- Boat identification
- Boat registration
- Bill impact
- River law

9:01 AM Senator Larsen introduced bill. #18813

9:03 AM Bob Wetsch – Mandan citizen, in favor. #18777

9:12 AM Scott Winkelman – Chief Game Warden, neutral. #18622

9:28 AM Chairman Clemens Adjourns hearing.

Nathan Liesen, Committee Clerk

2023 SENATE STANDING COMMITTEE MINUTES

Transportation Committee
Fort Totten Room, State Capitol

SB 2382
2/3/2023

Relating to motorboat identification numbers and boating regulations and relating to exemptions for motorboat identification numbers and to provide a penalty.

10:45 AM Chairman Clemens opens hearing.

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

Discussion Topics:

- Hog House amendment

10:48 AM Senator Larsen moved to adopt Amendment LC 23.1112.01001 #19921.

10:48 AM Senator Paulson seconded.

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

Motion passed 5-0-0

10:49 AM Senator Larsen moved a Do Pass as amended.

10:49 AM Senator Paulson seconded.

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

Motion passed 5-0-0

10:49 AM Senator Larsen will carry.

10:57 AM Chairman Clemens adjourns meeting.

Nathan Liesen, Committee Clerk

Prepared by the Legislative Council staff for
Senator Larsen
February 2, 2023

AK 2-3-23 (1-1)

PROPOSED AMENDMENTS TO SENATE BILL NO. 2382

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact section 20.1-13-06 of the North Dakota Century Code, relating to motorboat numbering exemptions.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 20.1-13-06 of the North Dakota Century Code is amended and reenacted as follows:

20.1-13-06. Exemption from numbering provisions of this chapter.

A motorboat may not be required to be numbered under this chapter if it is:

1. Already covered by a number, in full force and effect, awarded it pursuant to federal law or a federally approved numbering system of another state, provided such motorboat has not been within this state for more than ninety consecutive days.

2. A motorboat from a foreign country temporarily using the waters of this state.

3. A motorboat owned by the United States, a state, or a subdivision thereof.

4. A ship's lifeboat.

~~5. A motorboat belonging to a class of boats exempted from numbering by the department after said agency has found that the numbering of motorboats of such class will not materially aid in their identification; and, if an agency of the federal government has a numbering system applicable to the class of motorboats to which the motorboat in question belongs, after the department has further found that the motorboat would also be exempt from numbering if it were subject to the federal law.~~"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2382: Transportation Committee (Sen. Clemens, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2382 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact section 20.1-13-06 of the North Dakota Century Code, relating to motorboat numbering exemptions.

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Renumber accordingly

2023 HOUSE ENERGY AND NATURAL RESOURCES

SB 2382

2023 HOUSE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee
Coteau AB Room, State Capitol

SB 2382
3/16/2023

Relating to motorboat numbering exemptions.

9:55 AM

Chairman Porter opened the hearing. Members present: Chairman Porter, Vice Chairman D. Anderson, Representatives Bosch, Conmy, Dockter, Hagert, Heinert, Ista, Kasper, Marschall, Novak, Olson, Roers Jones, and Ruby.

Discussion Topics:

- Registration of Boats
- Coast Guard Certified
- State License
- Exemptions to State License
- ANS fund

Sen Larsen, District 34, introduced SB 2382, oral testimony
Bob Wetsch, Testimony 25543
Warden Jared Blem, Mandan, NDG&F, was called forward to answer questions

10:08 AM Chairman Porter closed the hearing.

Kathleen Davis, Committee Clerk

2023 HOUSE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee
Coteau AB Room, State Capitol

SB 2382
3/16/2023

Relating to motorboat numbering exemptions.

11:18 AM Chairman Porter opened the meeting.

Members present: Chairman Porter, Vice Chairman D. Anderson, Representatives Bosch, Conmy, Dockter, Hagert, Heinert, Ista, Kasper, Marschall, Novak, Olson, Roers Jones, and Ruby.

Discussion Topics:

- Committee action

Rep Olson moved a Do Pass on SB 2382, seconded by Rep Novak.

Representatives	Vote
Representative Todd Porter	Y
Representative Dick Anderson	Y
Representative Glenn Bosch	Y
Representative Liz Conmy	Y
Representative Jason Dockter	Y
Representative Jared Hagert	Y
Representative Pat D. Heinert	Y
Representative Zachary Ista	Y
Representative Jim Kasper	AB
Representative Andrew Marschall	Y
Representative Anna S. Novak	Y
Representative Jeremy Olson	Y
Representative Shannon Roers Jones	Y
Representative Matthew Ruby	Y

13-0-1 Motion carried. Rep Novak is carrier.

11:22 AM Meeting adjourned.

Kathleen Davis, Committee Clerk

REPORT OF STANDING COMMITTEE

SB 2382, as engrossed: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2382 was placed on the Fourteenth order on the calendar.

TESTIMONY

SB 2382

NORTH Dakota | Game and Fish
Be Legendary.

Senate Transportation Committee
Testimony on SB 2382

North Dakota Game and Fish Department
Scott Winkelman, Chief Game Warden
February 2, 2023

Chairman Clemens and members of the Senate Transportation Committee, my name is Scott Winkelman, Chief Game Warden for the North Dakota Game and Fish Department. I am testifying today in opposition of SB 2382 as written.

As written, SB 2382 would change multiple areas of the current law regarding motorboat registration and lower the classification of offense and fine amount for subsection 6 of section 20.1-13-07 of the North Dakota Century Code (NDCC). The bill would remove the ninety-day reciprocity period for watercraft that are licensed out of state. Removing this reciprocity period would require all motorboats that are currently licensed in another state to be licensed in North Dakota before being used on our waterbodies. This would create a significant issue for our department and thousands of anglers and recreational boaters who are residents of another state and fish, hunt, or boat in North Dakota. It would also cause conflict with US Coast Guard laws that prohibit a boat from being licensed in multiple states.

Subsection 6 of section 20.1 13-07 prohibits an individual from operating a motorboat or vessel within one hundred feet of a person fishing from a shoreline, swimmer, swimming diving raft, or an occupied, anchored or nonmotorized vessel, or within two hundred fifty feet of a reduced speed or slow or no wake sign at greater than slow or no wake speed, and is a class b misdemeanor. The bill as written would reduce the classification of offense by stating that an individual who violates this subsection is subject to a fine of one hundred dollars. Violations of this section of law cause significant and serious safety issues and reducing the classification and fine amount would reduce the amount of compliance with the law.

The bill as written would also remove the exemption from state licensure for certain classes of motorboats, namely, those boats that are documented with the United States Coast Guard. The Department is neutral on this specific part of the bill.

Therefore, the Department is asking the committee to send a recommendation of do not pass for SB 2382 as written.

February 2, 2023

Chairman and members of the Senate Transportation committee,

My name is Bob Welsch and I live at 4610 Fort Lincoln Rd, Mandan since 1976. The Missouri River is my front yard. Over the last several years there has been a number of large cabin cruiser boats starting to use the river. These boats can and do oftentimes generate large wakes which are very dangerous. I have had wakes from these boats go over the deck of my pontoon and cause minimal damage. A friend last year had a wake from one come over the deck of his pontoon and shook things so bad it threw his wife around the pontoon. She was trying to hold on to the table but was thrown into the table and broke 2 ribs. A neighbor just south of me had one of his grandkids tossed off of his dock by one of these wakes. This is a serious problem.

One of the issues is these boats for some reason are not required currently to be registered and provide visible registration numbers like other watercraft on the states waters. Therefore it is very difficult to identify the boats and their owners when these dangerous incidents happen. We must require visible registration on the bows of these boats like all others and hopefully this bill would do that. I would be happy to get into greater detail if you have any questions but I will end my written testimony with this. I urge you to provide those of us who are affected

by dangerous boaters to at least be able to identify them so we can report them to the ND Game & Fish or sheriffs patrols.

Thank you for the opportunity to voice my concern. If you have questions I would be happy to answer

Bob Wetsch
4610 Fort Lincoln Rd
Mandan, ND

20.1-13-06. Exemption from numbering provisions of this chapter.

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23.1112.01001
Title.02000

Prepared by the Legislative Council staff for
Senator Larsen
February 2, 2023

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SB 2382

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Bob Wetch

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Mandan, ND