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Deanne Wallack
Operator's Signature

12/17/03
Date

2003 SENATE TRANSPORTATION

SB 2207

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10/17/03
Date

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2207

Senate Transportation Committee

☐ Conference Committee

Hearing Date 1-23-03

Tape Number	Side A	Side B	Meter #
1	X		1455-3080
Committee Clerk Signature <i>Mary K Monson</i>			

Minutes:

Chairman Senator Thomas Trenbeath opened the hearing on SB 2207 relating to license examinations. **Senator Trenbeath** excused himself from the chair and **Vice Chairman Senator Duaine Espegard** continued the hearing.

Senator Trenbeath: (Senator from District 10) Sponsor of SB 2207. Introduced the bill and pointed out that it basically does one thing. The director of the DOT may waive the skills portion of the examination for motorcycle licenses if the applicant has successfully completed a motorcycle safety course approved by the director.

Michael Jay: (Program Administrator for the North Dakota Motorcycle Safety Program) See attached testimony.

Senator Bercier: How many different training programs are there in the state and who certifies them?

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Michael Jay: There is only one at the present time and it is under contract with the Department of Transportation. The training that we offer is the national accreditation training through the Motorcycle Safety Foundation. It's the same accreditation used nationwide by at least 46 other states.

Senator Trenbeath: Where in the state are these courses offered?

Michael Jay: (Meter 1840) These courses are offered throughout the state. Permanent sites are in Minot, Bismarck, Grand Forks, and Fargo. We also have mobile instruction.

Discussion relating to the mobile instruction. (Meter 1900) Mobile instruction is sometimes limited because proper facilities may not always be available. Facilities frequently used are National Guard facilities and school facilities. There are state and national standards that have to be met and safety is the utmost concern.

Senator Bercler: Can you come into the Tribes and do that?

Michael Jay: Yes we can.

Senator Nething: Does this replace the test the Highway Patrol used to give on skills?

Michael Jay: The Highway Patrol no longer administers that test. The test goes through the drivers license examiners. It is the same test done through the Motorcycle Safety Course.

Senator Espgaard: What is the length of the program?

Michael Jay: (Meter 2190) For a beginner rider the program is a 15 hour curriculum-- 5 hour classroom and the remainder on the range exercises.

Senator Espgaard: Do they also test the various sizes of motorcycles.

Michael Jay: At the present state regulations we teach with 450cc and smaller. The 250cc and the 125cc seem to be a comfortable range.

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Senate Transportation Committee

Bill/Resolution Number SB 2207

Hearing Date 1-23-03

Senator Bercier: Is the total 15 hours done in one day?

Michael Jay: (Meter 2390) There are several different options. The classroom portion can be done prior to the riding portion. Then the riding portion can be divided into two days. The 15 hour course is for the basic rider course. There are also two other courses. The intermediate course is an eight hour course. The experienced rider course is a four hour course.

Senator Trenbeath: What is the cost of the basic course?

Michael Jay: There is a \$25 registration fee which is refunded after the course is successfully completed. (Cost free to North Dakota citizens.) Out of state residents pay \$100.

Senator Trenbeath: Which course would a person need to take to qualify under this bill? How do you determine who is eligible to take which course?

Michael Jay: The basic rider course falls under the rule. The eligibility would be whatever the state already has for eligibility requirements.

Senator Nething: How does the program continue operating when you refund the registration fees?

Michael Jay: Through legislation \$5 from every motorcycle registration fee has been earmarked to automatically be enrolled into a motorcycle safety account. That is the primary funding for the program. Other funding is found through areas such as private donations, organizations, and motorcycle clubs.

Senator Bercier: Do you provide the motorcycles or does a person have to bring his own?

Michael Jay: Motorcycles are provided for the basic rider course. Exceptions are made, as long as the motorcycle passes our standards and quality checks, if an individual is extremely tall or

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Senate Transportation Committee

Bill/Resolution Number **SB 2207**

Hearing Date 1-23-03

extremely short and really needs to have his own motorcycle. The individual uses his own motorcycle for the intermediate and experienced rider courses.

Senator Mutch: What does a person have to do to get a license if he doesn't want to go through this course?

Michael Jay: Nothing would change. First take the written test. Then apply for an examination by a vehicle license examiner who gives the skills portion. If the skills portion is successfully passed, the license will be issued.

The hearing on SB 2207 was closed.

Senator Nething moved a **Do Pass**. Seconded by **Senator Bercier**. Roll call vote. 6-0-0.

Passed. The floor carrier is **Senator Trenbeath**.

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10/17/03
Date

Date: 1-23-03
Roll Call Vote #: /

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. ^{SB}2207

Senate TRANSPORTATION Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Senator Nething Seconded By Senator Bercier

Senators	Yes	No	Senators	Yes	No
Senator Thomas Trenbeath, Chair	✓		Senator Dennis Bercier	✓	
Senator Duaine Espegard, V. Chair	✓		Senator Ryan Taylor	✓	
Senator Duane Mutch	✓				
Senator Dave Nething	✓				

Total (Yes) 6 No 0

Absent 0

Floor Assignment Senator Trenbeath

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

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Dennis Bercier

Date

1/23/03

REPORT OF STANDING COMMITTEE (410)
January 23, 2003 11:34 a.m.

Module No: SR-13-0951
Carrier: Trenbeath
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2207: Transportation Committee (Sen. Trenbeath, Chairman) recommends DO PASS
(6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2207 was placed on the
Eleventh order on the calendar.

(2) DESK, (3) COMM

Page No. 1

SR-13-0951

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2003, HOUSE TRANSPORTATION

SB 2207

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2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2207

House Transportation Committee

☐ Conference Committee

Hearing Date March 14, 2003

Tape Number	Side A	Side B	Meter #
1	x		0.6 to 11.4
Committee Clerk Signature <i>Lauren J. Jil</i>			

Minutes:

Rep. Weisz, Chairman opened the hearing on SB 2207, a bill for an Act to amend and reenact section 39-06-14 of the North Dakota Century Code, relating to license examinations.

Sen. Trenbeath: Representing District 10 spoke as the prime sponsor for the bill and as an aging motor cycle rider explained SB 2207. As a motor cycle driver you need to not only take the written test but you must also take a skills test on the vehicle. Recognizing that motor cycles are different than four wheel vehicles, they (North Dakota) sponsor a course that new riders can take a number of hours of class room and a number of hours practical instruction. That is sanctioned by the State. All this will do is to authorize the Director to waive the practical portion of the test upon certification of having completed the course which is sanctioned by the State of North Dakota. Having completed the course you would not have demonstrate again that you have the competency to pass the practical -- all you would have to do is pass the written portion on the laws.

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Bill/Resolution Number SB 2207
Hearing Date March 14, 2003

Rep. Weisz I assume all the other parts of that section of the law is the same except for the wording on page 3.

Se. Trenbeath: That is correct.

Michael Jay: Program Director for the North Dakota Motorcycle Safety Program appeared in support of SB 2207. C copy of his prepared written remarks are attached.

Rep. Weisz: Is your program approved by the DOTG -- is there a procedure you have to go through?

Michael Jay: the North Dakota Motorcycle Safety Program is a joint effort with the State of North Dakota and the DOT. We do have the exclusive contract throughout the State under certain quality assurances the are approve and overseen by the DOT.

Rep. Hawken: Are these available in several locations?

Michael Jay: They are in every major city in North Dakota plus we have mobile training units which get to places like Stanley, Tioga, Bowman which is makes available to almost all of the State -- there are limitations on some of the very small communities but we did teach 981 motor cycle safety last year.

Rep. Zaiser: Since the DOT sanctions your course I presume that your course covers everything the DOT would test on?

Michael Jay: It actually encompasses more -- the drivers skills portion is basically done with a five minute examination and they take you through nine different skill level exercises. Our course -- comes to sixteen hours --of those sixteen hours - five hours are actually done in the classroom preparation and the other eleven hours are done on range exercises -- we have the

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House Transportation Committee
Bill/Resolution Number SB 2207
Hearing Date March 14, 2003

advantage -- even though we have the same criteria as the DOT -- we get to work with that examinee for 16 hours as opposed to the 5 minute examination.

Rep. Zaiser: And what is the fee for this course?

Michael Jay: we are blessed in North Dakota as we are funded in North Dakota when back in 1978 the legislature made \$5.00 of the motorcycle riders endorsement fees goes to an educational fund and those are the fund we work out of and there is a \$25 registration fee and upon successfully completing the course the \$25 is offered back. We are one of only two states left in the Country that offer free motorcycle training.

Rep. Ruby: What per cent of them fail the test?

Michael Jay: Yes there are some -- a few that do not pass.

Rep. Ruby: Is there certain criteria they must meet for the course---

Michael Jay: Yes there are a degree of people who can not pass the test -- they don't possess the skills do the quality assurances that we have in place with our professional rider and due to the integrity of the training -- we are not ashamed to have those people fail -- if those people simply can not pass the course requirements -- we don't want to see them on the road. The whole purpose of the motorcycle safety program was to reduce crashes and injuries -- to prevent the loss of life -- so if we feel that person is at risk and they could benefit by repeating the course we offer them that. In addition to our basic course -- we have what is called the basic intermediate course which is after they pass the basic course we encourage them to come back and take this on their own -- we spend an additional eight hours with them -- and then we have what is called the advanced experienced riders course and that entails four hours. The course is designed for a lot of

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10/17/03
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House Transportation Committee
Bill/Resolution Number SB 2207
Hearing Date March 14, 2003

people who have not ridden for a while -- we like to call them re-enter riders. It gives them a chance to tune their skills before they get back on the bike and hit the open road.

Rep. Hawken: How much is the license for a motorcyclist?

Michael Jay: It is \$22.50 per year.

There being no other persons wishing to testify for or against SB 2207, Chairman Weisz closed the hearing.

Action on SB 2207 --

Rep. Galvin: Moved a 'Do Pass' motion for SB 2207. Rep. Thorpe: seconded the motion.

On a roll call vote the motion carried 10 Ayes 0 Nays 3 Absent and not voting.

Rep. Headland was designated to carry SB 2207 on the floor.

End of Record -- (11.4)

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Date: March 14, 2003
Roll Call Vote #: 1

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2207

House TRANSPORTATION Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 30225.0200

Action Taken Do Pass

Motion Made By Rep. Galvin Seconded By Rep. Thorpe

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 Weller					

Total Yes 10 No 0

Absent 3

Floor Assignment Rep. Headland

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10/17/03
Date

REPORT OF STANDING COMMITTEE (410)
March 14, 2003 12:00 p.m.

Module No: HR-46-4787
Carrier: Headland
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE
SB 2207: Transportation Committee (Rep. Welsz, Chairman) recommends DO PASS
(10 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). SB 2207 was placed on the
Fourteenth order on the calendar.

(2) DESK, (3) COMM

Page No. 1

HR-46-4787

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2003 TESTIMONY

SB 2207

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10/17/03
Date

SB 2207

Mr. Chairman and Members of the Committee:

My name is Michael Jay. I'm the Program Administrator for the North Dakota Motorcycle Safety Program.

This bill will encourage more people to take motorcycle training. It will do so by offering an incentive for those who successfully complete the training.

Presently, there are 42 states that waive the skills portion of the license examination after successful completion of the training.

With the growing number of people that are getting back into the sport of motorcycling, it is hoped that this bill will promote safety through increased numbers of students of all ages participating in the North Dakota Motorcycle Safety Program training.



Mission: Reduce motorcycle
crashes, injuries,
and fatalities.

MICHAEL JAY, Program Administrator

701-223-5609
Cell: 391-3062
Toll free: 1-800-726-4094

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www.ndmsep.com

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