

# MICROFILM DIVIDER

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



ROLL NUMBER

DESCRIPTION

22/3

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10/21/03  
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2003 SENATE TRANSPORTATION

SB 2213

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2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2213

Senate Transportation Committee

☐ Conference Committee

Hearing Date 1-24-03

Tape Number	Side A	Side B	Meter #
1	X		3079-4280
Committee Clerk Signature <i>Mary K Monson</i>			

Minutes:

The hearing on SB 2213 was opened by **Chairman Senator Thomas Trenbeath**.

**Senator Espgaard:** (Senator from District 43) See attached testimony in support of SB 2213.

**Tom Kelsch:** See attached testimony in support of SB 2213.

**Senator Trenbeath:** Where does the language come from that defines appurtenance?

**Tom Kelsch:** A number of other states have adopted similar language. The idea is to look at permanent fixtures to the motor home not something temporary.

**Senator Trenbeath:** Doesn't that language "intended to be an integral part of a motor home" in effect give you a 108 inch wide motor home?

**Tom Kelsch:** (Meter 3860) No it has to be an "add-on". It cannot increase the total width. The total width limitation of the body would still be the 102 inches.

**Doyle Schulz:** (Highway Patrol) Neutral. Doesn't feel there are any safety issues. Has no problem with the legislation.

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Senate Transportation Committee  
Bill/Resolution Number SB 2213  
Hearing Date 1-24-03

**Senator Mutch:** There aren't any federal violations or federal regulations?

**Doyle Schulz:** These would be privately owned RV's and the feds right now allow 3 inches on each side.

The hearing on SB 2213 was closed.

**Senator Espegard** motioned a **Do Pass**. Seconded by **Senator Taylor**. Roll call vote 5-0-1.

**Passed.** Floor carrier is **Senator Espegard**.

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12/21/03  
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Date: 1-24-03  
Roll Call Vote #: 1

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. SB 2213

Senate TRANSPORTATION Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Do Pass

Motion Made By Senator Espegard Seconded By Senator Taylor

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) 5 No 0

Absent 1

Floor Assignment Sen. Espegard

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Dennis Bercier

Date

10/21/03

**REPORT OF STANDING COMMITTEE (410)**  
January 24, 2003 11:08 a.m.

**Module No: SR-14-1035**  
**Carrier: Espegard**  
**Insert LC: . Title: .**

**REPORT OF STANDING COMMITTEE**

**SB 2213: Transportation Committee (Sen. Trenbeath, Chairman) recommends DO PASS**  
**(5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2213 was placed on the**  
**Eleventh order on the calendar.**

(2) DESK, (3) COMM

Page No. 1

SR-14-1035

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10/21/03  
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2003 HOUSE TRANSPORTATION

SB 2113

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10/21/03  
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2213

House Transportation Committee

☐ Conference Committee

Hearing Date March 7, 2003

Tape Number	Side A	Side B	Meter #
1	x		14.1 to 23.8
	x		35.8 to 38.3
Committee Clerk Signature <i>Laura Fink</i>			

Minutes:

Rep. Weisz, Chairman opened the hearing on SB 2213, a bill for an Act to create and reenact three new subsections to section 39-12-04 of the North Dakota Century Code, relating to definitions of motor vehicles and the width of motor vehicles; and to amend and reenact subsections 25 and 84 of section 39-01-01 of the North Dakota Century Code, relating to the definitions of house car and travel trailer.

Rep. Weisz representing District 14 -- basically what it would do is to allow over width for camping trailers -- for attachments on the side -- to give them that extra width of 6 inches on each side to allow awnings, mirrors -- something they would have as attachments -- it seems a lot of other states are doing it -- that's all I have to say this --

Tom Kelach Representing the Recreation Vehicle Industry Association ( RIVA ) in support of SB 2213. A copy of his prepared remarks are attached.

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*Dianne Waller*  
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12/21/03  
Date



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House Transportation Committee  
Bill/Resolution Number SB 2213  
Hearing Date March 7, 2003

Rep. Delmore: I am curious if South Dakota and Montana because they are in such close proximity are looking at this same legislation --

Tom Kelsch: I don't believe there is any legislation currently there -- our organization has a somewhat limited budget and they have been picking a certain number of states every year to do this. I have not been informed that they have picked those two states yet. I think that what happens is that Wyoming was one of the first states that did it -- the highway patrol stopped some people going to a convention and they gave the highway patrol a bad time and the patrol brought the tape measure out and found they were in violation of a number of things and this width requirements was one and so they were fined -- they explained it to the RV dealers and then to our attention. With our limited budget have been picking a certain number of states each year. I am not aware of any states who have taken it up and turned it down.

Rep. Ruby: Just looking at the language here -- 8 feet 6 inches but then further down line says no more than 6 inches on either side of the vehicle. That isn't 6 inches on both sides -- just one side or the other -- as long as the total is within the 8 feet 6 inches limit?

Tom Kelsch: The 8 feet 6 inches would be the actual width of the vehicle itself. So you could have 6 inches on either side in addition to that 8 feet 6 inches. The 8 feet 6 inches is the maximum allowable width but you could have mirror 6 inches beyond because of the safety features. The appurtenances would be an awning on one side or both sides or a vent on another if you vehicle width is 8 feet 6 inches.

Rep. Ruby: So the measurement with those could actually be 9 feet 6 inches?

Tom Kelsch: Yes that would be the maximum if you used the maximum amount allowed for appurtenances on each side. You could not increase the width of the body to that width.

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House Transportation Committee  
Bill/Resolution Number SB 2213  
Hearing Date March 7, 2003

Rep. Ruby Would that include fish houses too.

? Answer No that is not a 'recreational vehicle'.

Rep. Hawken, Vice Chairman there being no other persons wishing to testify for or against SB 2213, the hearing is closed.

End of hearing record ( 23.8 ).

Action Tape 1 Side A ( 35.6 )

Rep. Hawken, Vice Chairman opened the discussion on SB 2213 for action. Rep. Ruby moved a 'Do Pass' motion. Rep. Zaiser seconded the motion. On a roll call vote the motion carried 9 Ayes 0 Nays 4 Absent and not voting.

Rep. Ruby was designated to carry SB 2213 on the floor.

End of record ( 38.3 )

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10/21/03  
Date

Date: 3/7/03  
Roll Call Vote #: 1

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 2213

House TRANSPORTATION Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 38301.0100

Action Taken Do Pass

Motion Made By Rep. Ruby Seconded By Rep. Zaiser

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

Total Yes 9 No 0

Absent 4

Floor Assignment Rep. Ruby

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Operator's Signature Dennis Walworth Date 10/21/03

**REPORT OF STANDING COMMITTEE (410)**  
March 7, 2003 11:11 a.m.

Module No: HR-41-4211  
Carrier: Ruby  
Insert LC: . Title: .

**REPORT OF STANDING COMMITTEE**  
**SB 2213: Transportation Committee (Rep. Welsz, Chairman)** recommends **DO PASS**  
(9 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING). SB 2213 was placed on the  
Fourteenth order on the calendar.

(2) DESK, (3) COMM

Page No. 1

HR-41-4211

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2003 TESTIMONY

SB 2213

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10/21/03  
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**Testimony of Senator Duaine C. Espgaard  
In Favor of Senate Bill 2213**

Chairman Trenbeath, and members of the Senate Transportation Committee. I agreed to sponsor Senate Bill 2213 on behalf of the Recreation Vehicle Industry Association.

The purpose of this bill is to bring North Dakota law into compliance with some 24 other states, and with the recreational vehicle industry concerning the width of recreational vehicles.

The first part of the bill merely brings North Dakota law up to date and makes it consistent on a nationwide basis. It creates new definitions for "Camping Trailer", Fifth-Wheel Trailer", and "Truck Camper", includes "motor home" in the definition of "House Car", and amends the definition of "Travel Trailer".

The only substantive change is in Section 3. This permits recreational vehicles to exceed the 102-inch width restriction for an appurtenance, that extends no more than 6-inches beyond either side of the body of the vehicle. The change is necessary because recreational vehicle manufacturers are attaching awnings on to 102-inch motor homes. These recreational vehicles are currently not in compliance with North Dakota law. The proposed change has been reviewed with the ND Department of Transportation and with the Highway Patrol and my understanding is that they are not opposed to the change.

I would urge a "Do Pass" on SB 2213

Duaine C. Espgaard  
Operator's Signature

10/21/03  
Date

**Testimony of Thomas D. Kelsch  
On Behalf of the Recreation Vehicle Industry Association  
In Favor of Senate Bill 2213**

Chairman Trenbeath, and members of the Senate Transportation Committee, my name is Tom Kelsch. I am here on behalf of the Recreation Vehicle Industry Association to testify in support of SB 2213. The Recreation Vehicle Industry Association (RVIA) is the national trade group representing recreation vehicle (RV) manufacturers and component parts suppliers that together produce 98 percent of all RVs manufactured in the United States.

In recent years, RVIA has undertaken a nationwide effort to establish uniform length and width dimensions for RVs throughout all 50 states. These dimensions are a 45-foot maximum allowable length for motorhomes and a 102-inch maximum allowable width, excluding appurtenances, for all RVs, including both motorhomes and towable units. North Dakota already allows motorhomes that are 45 feet in length to travel in the state; however, the state does not exclude appurtenances – such as RV awnings – from the maximum 102-inch width for all RVs when measuring such vehicles for the purposes of the width statute.

RVIA has obtained passage of legislation allowing RV appurtenances to exceed the width statute in 24 states. The association was also successful in convincing the federal government to issue a rule regarding this issue. The proposed Federal Highway Administration rule eliminates RVs from consideration as commercial vehicles and the subsequent need for an overwidth permit during the time period when the RV is considered a commercial vehicle, if devices extend beyond the regular width exclusion zone.

RVIA is respectfully asking North Dakota to join 24 other states and the federal government in allowing appurtenances, such as awnings, to extend no more than six inches beyond the 102-inch width. Such an extension would remain inside the profile of the exterior rear view mirrors.

Passage of this measure will provide significant benefits to the state, its consumers and its RV dealers. First, it will ensure that North Dakota remains consistent with other states that have passed similar legislation. It will boost tourism by making it legal for owners of all RVs, not just those that now conform to the North Dakota statute, to visit the state's many attractions and destinations.

This initiative will also help the state's RV dealers remain competitive in the growing RV market by allowing them to stock and sell RVs with appurtenances that extend beyond the 102-inch width limit. The aftermarket for RV awnings will also grow as dealers can now install these products on RVs that are at the 102-inch limit without any appurtenances. And, of course, an increase in dealer business will result in an increase in tax revenue.

Finally, North Dakota consumers will benefit. This measure will allow them to have their RV of choice. Awnings are an extremely popular and vital component with RV owners. The shade the awning provides at the campsite helps keep the RV cool and reduces the need for air

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10/21/03  
Date

conditioning. This helps conserve energy and money. The awnings also provide shade for RV enthusiasts, reducing their direct exposure to sunlight. As many studies have shown, spending too much time in the sun without protection can have a harmful effect.

I have attached attached a map of the states that have adopted similar legislation for exceptions to the width requirement for appurtenances. Before we introduced this bill RVIA contacted the ND State DOT and the Highway Patrol to make sure that they didn't have any objections to the legislation, and they did not.

I respectfully urge the committee to recommend a "Do Pass" on Senate Bill 2213

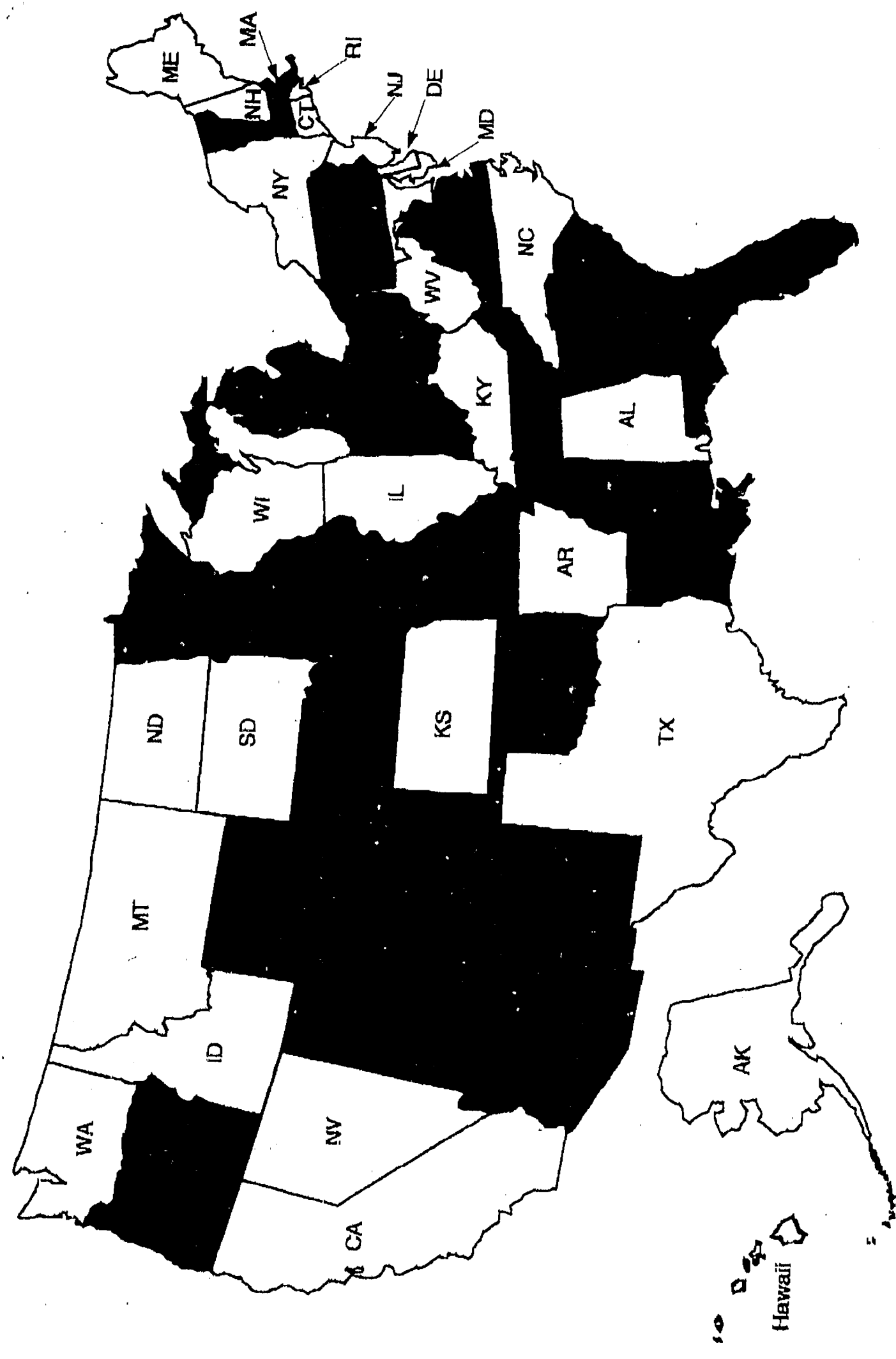
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# States Allowing RV Appurtenances To Extend Beyond 102"



States that permit RV appurtenances to extend beyond 102"  
States that have not yet enacted legislation extending  
RV appurtenances beyond 102"

08/2002

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I have attached a map of the states that have adopted similar legislation for exceptions to the width requirement for appurtenances. Before we introduced this bill RVIA contacted the ND State DOT and the Highway Patrol to make sure that they didn't have any objections to the legislation, and they did not. There was no opposition to this bill in the Senate where it passed 46-0.

I respectfully urge the committee to recommend a "Do Pass" on Senate Bill 2213

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