

Senate Transportation Committee

Senate Bill 2100 – A BILL for an Act to amend and reenact subsection 11 of section 39-24-09, and subsection 9 of section 39-29-09 of the North Dakota Century Code, relating to the amount of statutory fees and moving violations; and to provide a penalty.

Thursday, January 7, 2021

Fort Totten, 10: 45 AM

Chairman Clemens, members of the Committee, my name is Anton Hillig and I am the Motorized Coordinator for the State of North Dakota Department of Parks and Recreation (NDPRD). The purpose for today's testimony is to provide support to the North Dakota Highway Patrol's (NDHP) request to amend and reenact subsection 11 of section 39-24-09, and subsection 9 of section 39-29-09 of the North Dakota Century Code.

Currently N.D.C.C. §39-24-09.11 only requires snowmobile operators to maintain liability insurance if trafficking property maintain, leased, or owned by the NDPRD. However, it is common practice for snowmobiles to traffic other public right of ways and cross right of ways adjacent to maintained snowmobile trails. As a point of order, many of our trails systems cause snowmobiles to cross highways or other roads to continue their adventure. We, the NDPRD, support the NDHP's amendment to extend liability insurance requirements.

Currently N.D.C.C. §39-29-09.9 states an operator or passenger under the age of eighteen years must wear a safety helmet meeting United States Department of Transportation (DOT) standards. The language being presented by the NDHP does not change the intent of the code, rather it clarifies the misconception that passengers under the age of eighteen in an enclosed Class III Off-Highway Vehicle (OHV) are not required to wear DOT certified helmet. We, the NDPRD, support the NDHP's amendment to provide clarification with requirements for helmets.