From:	NDLA, S TRN - Wolf, Sheldon
To:	Bakke, JoNell; Clemens, David; Conley, Cole; Dwyer, Mike A.; Fors, Robert; Larsen, Doug
Cc:	NDLA, Intern 06 - Wischer, David; NDLA, S FIN - Crane, Joel
Subject:	FW: Senate Transportation Committee - SB 2100 - OHV Helmets
Date:	Friday, January 8, 2021 10:10:37 AM
Attachments:	image001.png image002.png
Importance:	High

Good Morning

Here is a clarification from Sgt Kadrmas regarding SB 2100 discussion this morning.

Sheldon

Sheldon Wolf
Senate Transportation Committee Clerk
Email: strn@nd.gov

From: Kadrmas, Sgt. Wade R.
Sent: Friday, January 8, 2021 10:05 AM
To: NDLA, S TRN - Wolf, Sheldon <strn@nd.gov>
Subject: RE: Senate Transportation Committee - SB 2100 - OHV Helmets
Importance: High

Mr. Wolf,

I have been listening to the Senate Transportation Committee and I heard members of the committee discussing the concern with the current wording of 39-29-09 subsection 9 relating to helmets for operators and riders 17 and younger. There is no requirement for any individual to wear a helmet while they are operating on private property. This is covered in the first sentence of 39-29-09 subsection 1 which states "An individual **may not operate an off-highway vehicle on the roadway, shoulder, or inside bank or slope of any road, street, or highway except as provided in this CHAPTER**." Since the word "Chapter" is in this sentence it means that the wearing of a helmet is only required on the areas listed within the sentence. The sentence does not include private property so the helmet law under 39-39-09 (9) does not apply to private property. I hope this information is beneficial to the committee.

Would you be able to pass this along to Chairman Clemens?

Regards,

Sergeant Wade Kadrmas
Safety and Education Officer

701.328.4252 • 844.474.NDHP (free) • wkadrmas@nd.gov • www.nd.gov/ndhp

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