



# North Dakota Legislative Council

Prepared for the Agriculture and  
Water Management Committee  
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## AGRICULTURE INSURANCE SAFETY PROGRAM STUDY - BACKGROUND MEMORANDUM

Senate Bill No. 2157 (2025) ([appendix](#)) directs the Legislative Management to study the feasibility and desirability of creating a program that would allow a farmer or rancher to complete a safety course to receive a discount on insurance relating to the individual's farming or ranching operation. The study must include the development of a proposed safety course, the feasible amount of an insurance premium discount, and eligibility requirements for applicants seeking to participate in the discount program.

Testimony in support of the study was received from elected officials, state employees, and insurance industry representatives. Testimony provided in support of the study emphasized the hazards and dangers of the agriculture industry and indicated a program of this type would likely lead to decreased fatalities and would support the state's agricultural communities. Supporting testimony also indicated a premium discount program would incentivize farmers and ranchers to complete a safety course because of the significant expenses associated with obtaining insurance for a farming or ranching operation. No testimony in opposition to the study was received.

### BACKGROUND

Agriculture continues to be one of North Dakota's leading industry sectors. Because the industry is prominent in the state, the number of likely injuries and fatalities on a farm or ranch is heightened. According to the National Institute for Occupational Safety and Health (NIOSH), 21,020 agriculture production workers suffered injuries that required days away from work in 2021 and 2022. However, these numbers likely are inaccurate because injuries in the agricultural industry commonly are underreported. Nearly one-third of the reported injuries resulted from falls. According to the Bureau of Labor Statistics, in 2022, individuals working in the agriculture, forestry, fishing, and hunting sectors had one of the highest fatality rates of 18.6 deaths per 100,000 full-time equivalents. All other industries in the United States had a fatality rate of 3.7 deaths per 100,000 full-time equivalents.<sup>1</sup> The majority of fatalities suffered by farmers and farm workers resulted from transportation accidents, followed by hazardous contact with objects and equipment. In 2022, individuals 55 years of age or older working in the agriculture, forestry, fishing, and hunting industries accounted for 56 percent of all fatalities in those industries. In 2022, agricultural producers in the United States had an average age of 58.1 years, an increase of 0.6 years from 2017, which continues an industrywide trend of aging for agricultural producers.<sup>2</sup> Because the average age of farm workers continues to rise, older individuals are increasingly at a higher risk of suffering a farm-related injury.

### FEDERAL LAW AND PROGRAMS

In 1990, through the enactment of Public Law 101-517, Congress directed NIOSH to establish a program to improve the health and safety of agricultural workers and their families. As a result, NIOSH

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<sup>1</sup> Injuries, Illness, and Fatalities: Table A-1. Fatal occupational injuries by industry and event or exposure, all United States, 2022, Bureau of Labor Statistics, August 2025. (<https://www.bls.gov/iif/fatal-injuries-tables/fatal-occupational-injuries-table-a-1-2022.htm>).

<sup>2</sup> United States Summary and State Data, 2022 Census of Agriculture, United States Department of Agriculture, February 2024. ([https://www.nass.usda.gov/Publications/AqCensus/2022/Full\\_Report/Volume\\_1\\_Chapter\\_1\\_US/usv1.pdf](https://www.nass.usda.gov/Publications/AqCensus/2022/Full_Report/Volume_1_Chapter_1_US/usv1.pdf)).

created a network of regional centers called the Centers for Agricultural Safety and Health. These centers promote health and safety practices in the agriculture, forestry, and fishing sectors.<sup>3</sup> The centers conduct research to prevent work-related disease, illness, and injury; provide consultation and training services aimed at promoting the health and safety of agricultural workers; and develop relationships and a network with governmental and nongovernmental entities to enhance health and safety for agricultural workers. The National Institute for Occupational Safety and Health provides funding and support for the Central States Center for Agricultural Safety and Health, Great Plains Center for Agricultural Health, and the Upper Midwest Agricultural Safety and Health Center, which are notable agriculture centers serving the Midwest.<sup>4</sup> These centers provide resources and safety programs to farmers and ranchers in North Dakota.

Section 3430.601 of the Code of Federal Regulations outlines the purpose of the Beginning Farmer and Rancher Development Program. This program is administered by the National Institute of Food and Agriculture division of the United States Department of Agriculture and is designed to provide localized training, education, outreach, and technical assistance initiatives for beginning farmers and ranchers. Section 3430.604 of the Code of Federal Regulations authorizes the National Institute of Food and Agriculture to award competitive grants to recipients committed to farm safety and awareness. To implement these programs, the National Institute of Food and Agriculture collaborates with extension service programs in each state to teach agricultural workers appropriate farm protocols and equipment operation and preservation.<sup>5</sup> The institute also supports the AgrAbility program, which is funded by the United States Department of Agriculture to provide person-to-person education and aid to farmers and family members living with disabilities.<sup>6</sup> The program awards funding to state extension programs and nonprofit organizations that provide disability assistance to make farm operations adaptable for individuals with disabilities.

## **NORTH DAKOTA LAW AND PROGRAMS**

### **Analogous State Insurance and Safety Programs**

#### **Highway Patrol**

The existence of insurance premium reduction programs is not a unique concept under North Dakota law. North Dakota Century Code (NDCC) Section 26.1-25-04.1 authorizes a motorist to complete a motor vehicle accident prevention course to reduce motor vehicle insurance premiums. For a driver to be considered for the premium reduction, the course must be approved by the Superintendent of the State Highway Patrol. To implement the approved safety course, the Highway Patrol enacted administrative rules under North Dakota Administrative Code (NDAC) Article 38-08. This chapter outlines application requirements, instructor prerequisites, course curriculum conditions, and sponsoring insurance agency qualifications. Under NDAC Section 38-08-02-02, an approved safety course under this program must provide information about the concept of crash preventability, contributing factors in motor vehicle crashes, traffic laws and regulations, vehicle capabilities, and highway environmental factors. Like the scope of the program contemplated in Senate Bill No. 2157, this program is designed to offer a premium reduction to the residents of this state upon completing a safety course.

#### **Workforce Safety and Insurance**

North Dakota Century Code Section 65-03-04 requires Workforce Safety and Insurance (WSI) to create and administer work safety and loss prevention programs for employers subject to WSI. Under these programs, WSI may promote workplace safety through training, education, consultation, grants, or incentives. North Dakota Century Code Section 65-04-19.1 offers a premium reduction to an employer

<sup>3</sup> Agriculture Worker Safety and Health, National Institute for Occupational Safety and Health, Center for Disease Control, May 16, 2024. (<https://www.cdc.gov/niosh/agriculture/about/index.html>).

<sup>4</sup> Centers for Agricultural Safety and Health, National Institute for Occupational Safety and Health, Center for Disease Control, December 10, 2024. (<https://www.cdc.gov/niosh/extramural-programs/php/about/ag-centers.html>).

<sup>5</sup> Farm Safety, National Institute of Food and Agriculture, United States Department of Agriculture, August 13, 2025. (<https://www.nifa.usda.gov/topics/agricultural-farm-safety>).

<sup>6</sup> AgrAbility, National Institute of Food and Agriculture, United States Department of Agriculture, May 21, 2025. (<https://www.nifa.usda.gov/grants/programs/farm-safety/agrability>).

that achieves benchmarks established by WSI's risk management program. The premium reduction is effective in the calendar year following the employer's achievement of WSI's benchmarks.

North Dakota Century Code Section 65-02-08 authorizes WSI to enact administrative rules to carry out the directives under Title 65. North Dakota Administrative Code Chapter 92-05-02 governs WSI's risk management programs. North Dakota Administrative Code Section 92-05-02-03 provides all employers are eligible to partake in the organization's risk management programs, except participants already participating in deductible programs. This section further explains that discounts are calculated by WSI, and the discount will appear as a credit on the employer's premium billing statement. North Dakota Administrative Code Section 92-05-02-07 authorizes WSI to modify existing or create new risk management programs for employers. North Dakota Administrative Code Section 92-05-03-01 authorizes WSI to create and administer safety and health programs for the funding of safety interventions or to develop programs promoting safety practices. As a result of these administrative rules WSI, has created the safety management program.

According to WSI, an employer seeking to participate in the program must file a completed application 30 days before the commencement of an insurance policy and create an action plan approved by the employer's executive team.<sup>7</sup> The program must outline the safety responsibilities for each employee at every level of the employing organization, establish safety goals, allocate necessary resources to administer the plan, conduct safety training, hazard recognition, and accident investigation programs, and complete annual safety or claims management seminars. Upon implementing a plan, WSI is required to conduct compliance audits at least 15 days before the end of the policy period. For the successful implementation and operation of an approved plan, the employer will receive a 10 percent premium discount.

While agricultural workers are generally exempt from obtaining mandatory workers' compensation coverage under NDCC Sections 65-01-02(20) and 65-01-17, the committee may wish to review the operation of this program when evaluating whether to create a state safety program aimed at reducing insurance premiums.

### **Notable Farm Safety Programs**

Many insurance companies, government agencies, and training companies operating in North Dakota provide farm safety courses to individuals working in the farming and ranching sectors. The following are notable farm safety components the committee may wish to review when evaluating whether to create a state safety program aimed at reducing insurance premiums.

#### **North Dakota Safety Council**

The North Dakota Safety Council (NDSC) is a nonprofit organization aimed at promoting safe work practices and environments in the state.<sup>8</sup> In 2020, the council received federal funding to create agriculture safety courses. The training modules NDSC currently offers relate to grain bin handling, chemical safety, power take off, personal protective equipment, operating all-terrain and utility-terrain vehicles, farm site danger zones, and powerlines. In 2021, the NDSC partnered with the North Dakota Farmers Union to create and operate a mobile classroom to showcase safety methods at trade shows, schools, farms, businesses, and cooperative corporations.

#### **North Dakota State University Extension Service**

In 1914, land-grant extension services, including the North Dakota State University (NDSU) Extension Service, were created by the federal Smith-Lever Act [Pub. L. 63-95; 38 Stat. 372; 7 U.S.C. 341 et seq.]. This Act was created to provide for cooperative agricultural extension work between the agricultural colleges and the United States Department of Agriculture. As authorized under NDCC Chapter 11-38, each county in the state has the authority to hire a county extension agent to serve as the local

<sup>7</sup> Safety Management Program, North Dakota Workforce Safety and Insurance, August 2025. (<https://www.workforcesafety.com/sites/www/files/documents/safety/resources/SMP.pdf>).

<sup>8</sup> Agriculture Safety Training Program, North Dakota Safety Council, August 2025. (<https://www.ndsc.org/ag-safety-training-program/>).

representative of the NDSU Extension Service. Part of the services NDSU Extension Service provides includes a farm and ranch safety program. This program provides safety training relating to combines, tractors, farm machinery, livestock, grain bins, chemicals, and on-the-scene injury response.<sup>9</sup>

### **American Farm Bureau Federation**

The American Farm Bureau Federation offers a safety program called the "Think FAST" (Farm and Ag Safety Training) program. The program proactively focuses on resolving on-farm safety issues for youth.<sup>10</sup> The training materials are provided free of charge to Farm Bureau members and nonmembers. The program is targeted toward individuals 14 to 17 years of age and focuses on promoting agriculture-specific safety, leadership, and critical thinking skills. The program consists of 10 modules relating to operating all-terrain and utility-terrain vehicles; awareness around livestock; situational awareness with tractors and machinery; safety with personal protective equipment; electrical skills and tasks; manual labor practices; safe management of bins, silos, and pits; safe chemical handling practices; and onsite injuries.

### **National Farmers Union**

The National Farmers Union offers a video series titled "Safety on the Farm." The series includes information relating to general farm safety, the power take-off shafts, rollover protection, all-terrain vehicles, grain bins and augers, livestock handling, equipment transportation, chemical handling, electrical safety, behavioral hazards, and child safety.<sup>11</sup> The National Farmers Union allows individuals to access the program through a series of instructional videos.

## **APPROACHES BY ADJACENT STATES**

The legislatures in Minnesota and Montana have enacted statutes promoting farm safety programs. In addition to reviewing the Centers for Agricultural Safety and Health operating in each of these states, the committee may wish to review the following notable farm safety components when evaluating whether to create a state safety program aimed at reducing insurance premiums.

### **Minnesota**

Section 17.1195 of the Minnesota Statutes provides for two farm safety grant and outreach programs overseen by the Agriculture Commissioner. Section 17.1195(1) authorizes the Agriculture Commissioner to award grants to farmers and schools within the state to retrofit eligible tractors with eligible rollover protective structures to prevent injuries associated with farm machinery rollovers. Section 17.1195(2) authorizes the Agriculture Commissioner to award grants to Minnesota farmers who purchase eligible grain storage facility safety equipment. Under this statute, a farmer may receive only one grant per fiscal year, and the grant may not exceed 75 percent of the farmer's documented cost to purchase, ship, and install grain storage facility safety equipment, or \$400 per bin or silo, whichever is less.

The Minnesota State Southern Agriculture Center for Excellence offers farm safety training to businesses, organizations, farms, and individuals across Minnesota. The programs focus on slips, trips, and falls; grain bin safety; agriculture chemical safety; required components of a farm safety plan; and general agricultural farm safety.<sup>12</sup> The University of Minnesota Extension also offers farm safety programs relating to general farm safety, methods to manage stress, personal safety, youth safety, working in extreme weather conditions, equipment and storage, livestock, and farm chemical handling.<sup>13</sup>

<sup>9</sup> Farm Safety, North Dakota State University Extension, August 2025. (<https://www.ndsu.edu/agriculture/ag-hub/ag-topics/farm-safety-health/farm-safety>).

<sup>10</sup> Think F.A.S.T., American Farm Bureau Federation, August 2025. (<https://www.fb.org/initiative/farm-bureau-safety-health-network/think-f-a-s-t>).

<sup>11</sup> National Farmers Union Safety on the Farm, National Farmers Union, August 2025. (<https://nfu.org/farmsafety/>).

<sup>12</sup> Minnesota Farm Safety, Minnesota Department of Agriculture, August 2025 (<https://www.mda.state.mn.us/minnesota-farm-safety>).

<sup>13</sup> Farm Safety, University of Minnesota Extension, August 2025. (<https://extension.umn.edu/safety/farm-safety>).

## Montana

According to the Montana Department of Labor and Industry, the Montana Safety Culture Act of 1993 encourages employees and employers to collaborate to implement a workplace safety culture. The Act intends to flag workplace safety as a critical issue for Montana's workers and employers. The Act encourages employers to develop and implement safety programs aimed at addressing the specific needs of their workplace. The Act strives to promote a safety philosophy and safe work environment for all future generations of Montana residents.<sup>14</sup> The Act is codified in Part 15 of Chapter 71 of Title 39 of the Montana Code. Section 39-71-1504 of the Montana Code requires each public or private employer to establish and administer a safety program pursuant to the Act and rules adopted by the Montana Department of Labor and Industry. Because of the emphasis on workplace safety under the Act, organizations dedicated solely to farm safety are operating in Montana, including the Montana Ag Safety Program. The program offers safety resources and training in compliance with the Act; conducts in-person safety consultations, reviews, and support; and creates tailored safety plans for specific agriculture operations. The program offers training sessions in over 40 task-specific areas, which include branding, calving, chemical handling, fencing, haying, irrigating, operating farm machinery and equipment, and spraying.<sup>15</sup>

### SUGGESTED STUDY APPROACH

Under Senate Bill No. 2157, the study must include input from the Insurance Commissioner, Agriculture Commissioner, NDSU Extension Service, and farm, livestock, and agricultural insurance agencies in the state. The committee also may wish to receive testimony from:

- The Superintendent of the State Highway Patrol, to discuss the framework of the motor vehicle accident prevention course to reduce motor vehicle insurance premiums under NDCC Section 26.1-25-04;
- Representatives of NDSC;
- Representatives of WSI;
- Representatives of commodity groups operating in the state; and
- Representatives of other out-of-state and national groups with expertise in farm safety programs and agriculture insurance.

ATTACH:1

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<sup>14</sup> Montana Safety Culture Act, Montana Department of Labor and Industry, August 2025. (<https://erd.dli.mt.gov/docs/safety-health/Safety-Culture-Act.pdf>).

<sup>15</sup> Safety Resources, Montana Ag Safety Program, August 2025. (<https://www.mtagrisafety.com/resources>).