

# MICROFILM DIVIDER

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ROLL NUMBER

DESCRIPTION

1158

2007 HOUSE TRANSPORTATION

HB 1158

# 2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1158

House Transportation Committee

Check here for Conference Committee

Hearing Date: 01-25-2007

Recorder Job Number: 1885

Committee Clerk Signature

*Lisa M Thomas*

Minutes:

**Chairman Weisz opened the hearing on HB 1158. Rep. Kelsch and Rep. Price were absent. HB 1158 relates to a restricted permit to operate an automobile.**

**Rep. DeKrey** introduced the bill.

**Rep. DeKrey:** I bring this bill to you out of a personal experience. Earlier this year when my wife took my son in for his driver's test and we got up that morning and the rear wheel bearing went out of the van and we ended up borrowing my uncle's car and driving all the way to Steele to take the driver's test and when we got there, he would not allow him to take the driver's test because it's in North Dakota law that you have to do it with your parents vehicle. So he was refused the opportunity to take his driver's test, so then we had to go home from Steele and I called Legislative Council and they said it was state law. Then I talked to other members of the assembly and they have had similar experiences, except, they had borrowed relatives vehicles and when they had checked their license, it was never discovered that it wasn't the parent's vehicle, so their child was allowed to take the test. So then I got to thinking about if you had a disadvantaged youth whose parent's don't own a vehicle? They have gone through driver's education in high school and they want a license, would they be not allowed to take the test in a car that met the safety inspection, and was insured and properly licensed,

because it wasn't their parent's vehicle? The DOT told me they would not be opposed to the bill.

**Rep. Ruby:** In this section of the law, it doesn't seem to require it, and if so, why wouldn't we just strike that language, wherever it is mentioned?

**Rep. DeKrey:** I don't know. Legislative Council drafted it.

**Rep. Ruby:** As I read the existing language it says that "restricted operator's license". So this wouldn't be for all?

**Rep. DeKrey:** I think your driver's permit under youth is considered a restricted license.

**There were no further questions. There was no further support for the bill. There was also no opposition to the bill. The hearing was closed.**

## 2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1158

House Transportation Committee

Check here for Conference Committee

Hearing Date: 01-25-2007

Recorder Job Number: 1959

Committee Clerk Signature

*Deja M Thomas*

Minutes:

**Chairman Weisz allowed committee discussion on HB 1158. Representatives Price and Kelsch were absent. HB 1158 relates to restricted permit to operate an automobile.**

**Rep. Owens moved a DO PASS. Rep. Delmore seconded.**

**Rep. Delmore:** Are we clear that the new language did not interfere with C? That is still stated real oddly.

**Rep. Owens:** That whole list of requirements deals with that sentence, "no operator's license may be issued". It deals with the issuance of the operator's license. It doesn't really deal with the test. So that is the way I am reading it. The line above is still referencing the test portion.

**Rep. Gruchalla:** It says they won't issue the license unless... in other words, you get the license but you can't drive anybody's car except your parents?

**Rep. Owens:** We are talking about day to day, after you get you license. But you can take the test with somebody else's car that is all that is being changed here.

**Rep. Weisz:** These are for GDL's which is different. They are saying they can do it without being accompanied by an adult.

**Rep. Gruchalla:** The part about having the child take the test in the parent's car where that came from way back in 1978 was so that a safety check of the car could be done when it was

brought in for the test. Now this will allow them to bring in their neighbor's car and then go home and drive the junker.

**Rep. Vigesaa:** We've had people come down to the dealership and ask if they can rent a car for the test. Well, we couldn't do it because it had to be their parent's car.

**Rep. Delmore:** I think in all fairness, I teach kids that age and they are nervous enough and if they can, they will drive the car that they are familiar with. I don't think this is opening up for one hundred parents to find a different car for the test because theirs is a safety hazard.

**Rep. Weisz:** My understanding was that most of the time they don't check to see whose car it is so nobody has been checking.

**Discussion was ended.**

**Roll Call Vote: 11 yes. 0 no. 2 absent.**

**Carrier: Rep. Delmore**

Date: 1-25-07  
 Roll Call Vote #: 1

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
 BILL/RESOLUTION NO. 1158

House Transportation Committee

Check here for Conference Committee

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

Action Taken Do Pass

Motion Made By Owen Seconded By Delmore

Representatives	Yes	No	Representatives	Yes	No
Chairman Weisz	✓		Rep. Delmore	✓	
Vice Chairman Ruby	✓		Rep. Gruchalla	✓	
Rep. Dosch	✓		Rep. Myxter	✓	
Rep. Kelsch	A		Rep. Schmidt	✓	
Rep. Owens	✓		Rep. Thorpe	✓	
Rep. Price	A				
Rep. Sukut	✓				
Rep. Vigesaa	✓				

Total Yes 11 No 0

Absent 2

Floor Assignment Delmore

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

**REPORT OF STANDING COMMITTEE (410)**  
January 26, 2007 1:58 p.m.

**Module No: HR-18-1370**  
**Carrier: Delmore**  
**Insert LC: . Title: .**

**REPORT OF STANDING COMMITTEE**

**HB 1158: Transportation Committee (Rep. Weisz, Chairman) recommends DO PASS**  
(11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1158 was placed on the  
Eleventh order on the calendar.

2007 SENATE TRANSPORTATION

HB 1158

## 2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1158

Senate Transportation Committee

Check here for Conference Committee

Hearing Date: March 8, 2007

Recorder Job Number: 4696

Committee Clerk Signature

*Judy Hange*

Minutes:

**Senator Lee** opened the hearing on HB 1158 relating to a restricted permit to operate an automobile. Senator Lee said Rep. DeKrey was not available to testify. Senator Lee introduced the bill and said the only thing changed in the bill was it allowed a child to operate an automobile that is not the parent's or guardian's to take the road test.

**Courney Hankle**, from Tower City said that I think that a child should be able to use a friend's car only with permission from our both parents. Sometimes the parent's cars aren't available so this would solve that problem.

**Senator Bakke** asked if you did this would you have a problem with liability.

**Courney** said that is why it is important to get the parents permission.

**Senator Lee** closed the hearing on HB 1158.

**Senator Andrist** moved for a Do Pass on HB 1158.

**Senator Nothing** seconded the motion.

The clerk called the roll 6-0-0.

**Senator Bakke** will carry the bill.



**REPORT OF STANDING COMMITTEE (410)**  
March 8, 2007 12:53 p.m.

**Module No: SR-44-4728**  
**Carrier: Bakke**  
**Insert LC: . Title: .**

**REPORT OF STANDING COMMITTEE**

**HB 1158: Transportation Committee (Sen. G. Lee, Chairman) recommends DO PASS**  
(6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1158 was placed on the  
Fourteenth order on the calendar.