

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1205

2007 HOUSE TRANSPORTATION

HB 1205

## 2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1205

House Transportation Committee

Check here for Conference Committee

Hearing Date: 01-18-2007

Recorder Job Number: 1354

Committee Clerk Signature

*Susan M Thomas*

Minutes:

**Chairman Weisz opened the hearing on HB 1205. All Representatives were present.**

**HB 1205 relates to motorcycle lights.**

**Rep. Ruby** introduced the bill.

**Rep. Ruby:** This bill came up because a highway patrolman was under the impression that motorcycles are required to have a taillight and many times they pull people over and give them a warning. One day he had another patrolman with him and said he was going to pull a man on a motorcycle over for not having a taillight. There is no where that says they have to have a taillight on the back of a motorcycle. I spoke with Keith Magnusson of the DOT and he thought that maybe somewhere years ago it was in administrative rules and thought that it should be put in the equipment area in the code that we have under the requirements for taillights. I am not a rider myself, but I can't imagine that somewhere we wouldn't have requirement for at least a taillight, especially when you are driving those things at night. That is simply what this bill does is just puts that language in the century code.

**Rep. Weisz:** Can you tell me where the requirements came from as far as visible for one thousand feet, is that the national standard?

**Rep. Ruby:** When I initially talked to Tim Dawson (legislative council) about this he said, "Are you sure you want to go down this road because you never know if there's other states don't have this requirement or if manufacturers are not putting it on, and then we would have that requirement." So I dropped it after that because I didn't have the time to research what other states were doing and he happened to run a check of other states and found that it was pretty much a standard requirement so when I got here at the beginning of session I found that he drafted a bill that deals with that.

**There were no questions for Rep. Ruby.**

**There was no further support for the bill.**

**Chairman Weisz allowed for opposition at this time.**

**Dwayne Wahl**, representing himself, spoke in opposition.

**Wahl:** I am an avid motorcyclist. I am pretty familiar with what will and won't work with something like this. The first thing that comes to mind is section 1, basically starting with the first item on line 7. What happens if this is a motor cross bike? What happens if it is a motorcycle that is not even street legal by this law here, we would have to add lights to our non-street legal motorcycle or not be able to sell it. I think it's an oversight as it sounds and should be at the beginning of each section it should be all street legal motorcycles. There should be something all encompassing.

**There were no questions for Mr. Wahl.**

**There was no further opposition to HB 1205. The hearing was closed. No action was taken at this time.**

## 2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1205

House Transportation Committee

Check here for Conference Committee

Hearing Date: 01-19-2007

Recorder Job Number: 1427

Committee Clerk Signature

*Lisa M Thomas*

Minutes:

**Chairman Weisz allowed committee discussion on HB 1205. All Representatives were present. HB 1205 relates to motorcycle lights.**

**Chairman Weisz:** The proposed amendment would be section one, two and three your current law would stay the same, section four and five would be deleted and instead it is merely referenced to the section with motor vehicle that is exactly the same. Now motorcycles are already defined as a motor vehicle. That means it's already under that section of code but obviously there must be some misunderstanding. My opinion is we don't need the bill, but if that increases the comfort level for law enforcement that it references.

**Rep. Delmore:** We would take out both four and five?

**Chairman Weisz:** Yes.

**Rep. Ruby:** We can just kill the bill and not have to go through with it on the Senate side. I guess it would have been nice if the highway patrol would have asked for it to be clearer or at least having this area referenced, then we would know, with just a simple reference to the code.

I'm not married to it one way or another really.

**Rep. Gruchalla:** I think since there already is a separate section in there for motorcycle equipment and it already does on page two lines five, it already spells out that motorcycle has to have a head lamp and everything else. Probably be better just to put in that it needs a taillight too. It might be more clear for law enforcement.

**Rep. Ruby:** We could just say to strike most of that language and reference the section to motor vehicle.

**Chairman Weisz:** It's virtually identical language. The option would be to say "motorcycle must be equipped with a tale light that meets the provisions of the 392104 section 2.

**Rep. Kelsch moved to adopt the amendments. Rep. Owens seconded.**

**Voice vote: 13 yes. 0 no. 0 absent.**

**Rep. Ruby moved a DO PASS AS AMENDED. Rep. Price seconded.**

**Roll Call Vote: 12 yes. 1 no. 0 absent.**

**Carrier: Rep. Price**

70280.0102  
Title.0102- 0200

Adopted by the Transportation Committee  
January 22, 2007

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1205

Page 1, line 18, after "39-21-19" insert "subsection 1"

Renumber accordingly

**House Amendments to HB 1205 (70280.0101) - Transportation Committee 01/19/2007**

Page 1, line 15, replace "mounted on the rear of" with "in accordance with section 39-21-04"

Page 1, remove lines 16 through 19

Page 1, line 20, remove "when the headlamp is lighted"

Page 1, line 21, replace "on the rear of the motorcycle" with "in accordance with subsection 1 of section 39-21-19"

Page 1, remove lines 22 and 23

Page 1, line 24, remove "project a glaring light, and may be incorporated with other rear lamps"

Renumber accordingly



REPORT OF STANDING COMMITTEE

HB 1205: Transportation Committee (Rep. Weisz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1205 was placed on the Sixth order on the calendar.

Page 1, line 15, replace "mounted on the rear of" with "in accordance with section 39-21-04"

Page 1, remove lines 16 through 19

Page 1, line 20, remove "when the headlamp is lighted"

Page 1, line 21, replace "on the rear of the motorcycle" with "in accordance with subsection 1 of section 39-21-19"

Page 1, remove lines 22 and 23

Page 1, line 24, remove "project a glaring light, and may be incorporated with other rear lamps"

Renumber accordingly

2007 SENATE TRANSPORTATION

HB 1205

# 2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. Engrossed HB 1205

Senate Transportation Committee

Check here for Conference Committee

Hearing Date: March 2, 2007

Recorder Job Number: 4258

Committee Clerk Signature

*Jody Hauge*

Minutes:

**Senator Gary Lee** opened the hearing on HB 1205 relating to motorcycle lights.

**Representative Ruby** introduced the bill and testified in favor of the Bill. The bill says that a motorcycle must be equipped with at least one taillamp and a motorcycle must be equipped with a stop lamp. It is a simple clean up bill.

**Senator Lee** asked if a motorcycle is not equipped with a tail light will they have to put one on.

**Rep. Ruby** said there are some motorcycles without lights like a dirt bike and they are not required to have them but if they are going to go on streets and highways they do need the lights.

**Senator Lee** closed the hearing on HB 1205.

**Senator Andrist** moved a Do Pass on Engrossed HB 1205.

**Senator Fiebiger** seconded the motion.

The clerk called the roll 4-0-2.

**Senator Bakke** will carry the bill.



**REPORT OF STANDING COMMITTEE (410)**  
March 2, 2007 10:44 a.m.

**Module No: SR-40-4296**  
**Carrier: Bakke**  
**Insert LC: . Title: .**

**REPORT OF STANDING COMMITTEE**

**HB 1205, as engrossed: Transportation Committee (Sen. G. Lee, Chairman) recommends DO PASS (4 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed HB 1205 was placed on the Fourteenth order on the calendar.**