

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION  
SFN 2053 (2/85) 5M



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DESCRIPTION

1183

2007 HOUSE TRANSPORTATION

HB 1183

## 2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1183

House Transportation Committee

Check here for Conference Committee

Hearing Date: 01-18-2007

Recorder Job Number: 1355

Committee Clerk Signature

*Lisa M Thomas*

Minutes:

**Chairman Weisz opened the hearing on HB 1183. All Representatives were present.**

**HB 1183 relates to motorcycle handlebars.**

**Rep. Ruby** introduced the bill.

**Rep. Ruby:** This bill is simple. At this time a motorcycle is required to have the handlebars no more than fifteen inches above the seat. What this bill does is requires that no matter how you customize the bike or no matter how tall you are that an equal level above the seat. The original intent of this is to make sure that there isn't extremely high handle bars which are commonly known as ape hangers. People like to ride those, but on the other hand, there is a safety issue. This was mentioned to me by a guy who provides and has his handlebars above shoulder height and he was told that his handle bars were too high. Therefore I introduced a bill that the handlebars are at shoulder height, which is a comfortable position for motorcycles. This allows some flexibility based on the height of the driver or the custom make of the motorcycle. With that, it's a simple bill.

**Rep. Gruchalla:** Did the legislative council, in preparing this bill, look at the national standards for motorcycle equipment?

**Rep. Ruby:** I don't believe they did. Rather than come up with another number, we just came up with this language. I think in some states they allow the ape hangers.

**Michael Jay,** Executive director of ABATE of North Dakota; spoke in support of the bill. See written testimony.

**Rep. Gruchalla:** Is there a safety standard nationally?

**Michael Jay:** I am not aware of the national standard, but South Dakota was changed for the rally. South Dakota law is not to exceed shoulder height.

**Rep. Schmidt:** How many motor cycle riders whom are licensed are in the state of North Dakota?

**Michael Jay:** I believe there are twenty four thousand and seven hundred people.

**There were no further questions. There was no further support for the bill. There was no opposition to this bill. The hearing was closed. No action was taken at this time.**

## 2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1183

House Transportation Committee

Check here for Conference Committee

Hearing Date: 01-18-2007

Recorder Job Number: 1361

Committee Clerk Signature

*Lisa M Thomas*

Minutes:

**Chairman Weisz allowed for committee discussion on HB 1310 at this time.**

**Representative Kelsch was absent. HB 1310 relates to motorcycle handlebars.**

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

**Rep. Thorpe:** I understand that this bill is kind of loosening it from where we are at now and I support that.

**Rep. Gruchalla:** I still have a couple of reservations on the bill. I think when that height limit for handlebars was enacted, there was some sort of guideline for manufacturers and the reason was safety. When I used to give motorcycle tests, the guys that had the raised handlebars would show up on a small little one hundred cc motorcycle to take the test because the big bike with the big handlebars it was tougher to pass. So on a safety aspect, I still have reservations. I didn't get real clear on here if there were some standards that were being met.

**Chairman Weisz:** It did appear in the testimony that the only comparison was South Dakota which evidently had a shoulder type.

**Rep. Ruby:** As far as consistency with any other state I don't know either. I spoke with the two Highway Patrolman who were here and asked them if they were opposed to the bill and they said no because of the different height of the riders. As long as it doesn't get over that level.

**Rep. Thorpe:** Where do they measure the height? Where they grip the handlebar?

**Chairman Weisz:** Currently in law, it starts at the seat. Now, it will be where you are sitting, it can't be above the shoulder.

**Rep. Thorpe:** That's the grip then, right?

**Chairman Weisz:** Yes.

**Rep. Owens:** It's no different than adjusting your steering wheel. The reason that I'm most interested in having this adjustment. If you go on a long trip and the fatigue of driving on these trips too. If they can adjust and arrange to where it is comfortable, it is the same as the steering wheel.

**Rep. Dosch:** What I am wondering is that it appears that we are making the law broader now, and number two, I think most motorcycles now, you can adjust the height somewhat. My other issue is, if we have a more restrictive law in place right now are these people not being picked up? Is there an enforcement issue now?

**Chairman Weisz:** I would guess its not real high on the list of law enforcement officers unless something is way out of whack.

**Rep. Thorpe:** I visited with Leut. Rogers and we discussed this. He personally felt comfortable with the legislation in here.

**Rep. Ruby:** Rep. Dosch is right. This is a broadening.

**Rep. Delmore:** Are most of those handlebars detachable now?

**Rep. Ruby:** Yes.

**Rep. Schmidt:** There was little opposition to this bill.

**Chairman Weisz:** There was none.

**Rep. Price:** Right now it shall be capable of vertical adjustment. That is the current law.

**There was no further discussion on HB 1183.**

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

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

**Carrier: Rep. Thorpe**

Date: 1-18-07  
Roll Call Vote #: HB 1183

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

House Transportation Committee

Check here for Conference Committee

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

Action Taken DO Pass

Motion Made By Rep Delmore Seconded By Rep Sukut

| Representatives    | Yes | No | Representatives | Yes | No |
|--------------------|-----|----|-----------------|-----|----|
| Chairman Weisz     | ✓   |    | Rep. Delmore    | ✓   |    |
| Vice Chairman Ruby | ✓   |    | Rep. Gruchalla  | ✓   |    |
| Rep. Dosch         | ✓   |    | Rep. Myxter     | ✓   |    |
| Rep. Kelsch        |     |    | Rep. Schmidt    | ✓   |    |
| Rep. Owens         | ✓   |    | Rep. Thorpe     | ✓   |    |
| Rep. Price         | ✓   |    |                 |     |    |
| Rep. Sukut         | ✓   |    |                 |     |    |
| Rep. Vigesaa       | ✓   |    |                 |     |    |
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Total Yes 12 No 0

Absent 1

Floor Assignment Rep. Thorpe

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



**REPORT OF STANDING COMMITTEE (410)**  
January 19, 2007 4:03 p.m.

**Module No: HR-13-0899**  
**Carrier: Thorpe**  
**Insert LC: . Title: .**

**REPORT OF STANDING COMMITTEE**

**HB 1183: Transportation Committee (Rep. Welsz, Chairman) recommends DO PASS**  
**(12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1183 was placed on the**  
**Eleventh order on the calendar.**

2007 SENATE TRANSPORTATION

HB 1183

## 2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1183

Senate Transportation Committee

Check here for Conference Committee

Hearing Date: March 9, 2007

Recorder Job Number: 4789

Committee Clerk Signature

*Jody Hauge*

Minutes:

**Senator Gary Lee** opened the hearing on HB 1183 relating to motorcycle handlebars. All committee members were present.

**Representative Ruby** introduced the bill and testified in favor of HB 1183. He said in present law handlebar grips must be located no more than fifteen inches above the unoccupied seat with the handlebars located in a straight ahead position. The bill says handlebar grips may not be located above the shoulder height of the seated operator and must be capable of vertical adjustment. He thinks it is a reasonable thing to do and it is safe.

**Senator Potter** asked why they included the vertical adjustment.

**Rep. Ruby** said he didn't know.

**Michael Jay**, Executive Director of ABATE of North Dakota testified in favor of HB 1183. His written testimony is enclosed.

**Senator Potter** asked again why they included the vertical adjustment.

**Michael Jay** said he didn't know.

**Senator Nething** said that it seemed to him that two people using the same bike wouldn't always use the same height. Wouldn't that be the reason for the vertical adjustment?

**Senator Lee** closed the hearing on HB 1183.

**Senator Nething** moved a Do Pass on HB 1183.

**Senator Andrist** seconded the motion.

The clerk called the roll 6-0-0.

**Senator Bakke** will carry the bill.



**REPORT OF STANDING COMMITTEE (410)**  
March 9, 2007 12:06 p.m.

**Module No: SR-45-4866**  
**Carrier: Bakke**  
**Insert LC: . Title: .**

**REPORT OF STANDING COMMITTEE**

**HB 1183: Transportation Committee (Sen. G. Lee, Chairman) recommends DO PASS**  
(6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1183 was placed on the  
Fourteenth order on the calendar.

2007 TESTIMONY

HB 1183

Mr. Chairman and fellow committee members:

H.B.  
1183

Handle  
bars

For the record, my name is Michael Jay. I am the Executive Director of ABATE of North Dakota.

ABATE, whose acronym stands for American Bikers Aiming Towards Education, has been teaching motorcycle safety to the citizens of North Dakota since 1978. We believe that this Bill addresses a good safety concern for motorcyclists. Adjusting handlebar heights would be the same relationship as to getting into a vehicle and adjusting one's seat, mirror and steering wheel to adequately adjust to that person's body position. A person who is over a certain height would have a hard time adjusting to the current limitations placed on handlebar heights.

On behalf of the 2000 plus members of ABATE of North Dakota, we would ask this committee for a do pass on House Bill 1183.

Mr. Chairman and fellow committee members, I thank you for your time and I stand before this committee for any questions.