Sixty-second
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1442

Introduced by

Representatives Ruby, Gruchalla

A BILL for an Act to amend and reenact section 39-21-45.1 of the North Dakota Century Code, relating to modification of motor vehicles; and to provide for a legislative management study.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 39-21-45.1 of the North Dakota Century Code is amended and reenacted as follows:

39-21-45.1. Modification of motor vehicle.

1. Except as otherwise provided in this section, a person may not operate upon a public highway a motor vehicle of a type required to be registered under the laws of this state with a registered gross weight of ~~seven~~sixteen thousand pounds [~~3175.14~~7257.48 kilograms] or less with alterations or changes from the manufacturer's original design of the suspension, steering, or braking system of the motor vehicle. ~~The weight must be computed on the basis of the unmodified and unloaded weight of the motor vehicle and without regard to any ballast that may be placed in the vehicle.~~

2. ~~An inspection certificate from the department or highway patrol is required after the completion of all modifications before the motor vehicle with vehicle modifications from the manufacturer's original design of the suspension, steering, or braking systems may be registered.~~

~~3.~~ As to bumpers, motor vehicle height, ~~tires,~~ and permitted modifications~~fenders~~, the following requirements also apply:

~~1.~~ a. The motor vehicle must be equipped with front and rear bumpers.

~~2.~~ b. The maximum body height permitted for the motor vehicle is forty-two inches [106.68 centimeters]. Measurement of body height is made from a level ground surface to the floor of the cargo area. ~~Air or hydraulic suspension systems used to change body height may not be actuated while the vehicle is in motion. The~~

~~vehicle body must maintain a generally level stance and body and bumper heights referred to in this subsection must be maintained while the vehicle is in motion.~~

~~3.~~ c. The maximum bumper height permitted is twenty-seven inches [68.58 centimeters]. Measurement of bumper height is made from a level ground surface to the highest point on the bottom of the bumper.

~~4.~~ d. The vehicle may be modified in accordance with the following:

~~a.~~ (1) Any modifying equipment must meet ~~specialty equipment marketing association~~national highway traffic safety administration standards~~ or federal motor vehicle safety standards~~.

~~b.~~ (2) If tires placed on a motor vehicle have a diameter greater than that of the tires on the motor vehicle as manufactured, those tires must comply with department of transportation requirements~~federal motor vehicle safety standards~~.

~~c.~~ (3) The maximum outside diameter permitted for tires is forty-four inches [111.76 centimeters].

~~d.~~ (4) A horizontal drop bumper may be used to comply with the bumper height requirement of subsection 3. The horizontal bumper must~~:~~

~~(1)~~ ~~Be~~ be at least three inches [7.62 centimeters] in vertical width;

~~(2)~~ ~~Extend~~ extend the entire horizontal body width; and

~~(3)~~ ~~Be~~ be horizontal, load bearing, and attached to the vehicle ~~frame~~structure to effectively transfer impact when engaged.

~~e.~~ (5) The maximum lift permitted in the suspension system is four inches [10.16 centimeters].

~~e. A part of a motor vehicle must not extend below the lowest part of a wheel rim except tires and electric grounding devices designed for that purpose.~~

~~f. All wheels and tires must be equipped with fenders designed to cover the entire tread width. Tread width is the portion of the tire that generally makes contact with the road surface. Fenders must cover the entire tread circumference from at least fifteen degrees in front, to at least seventy-five degrees to the rear, measured from the vertical centerline at each wheel.~~

1 ~~5.~~ ~~g.~~e. A person charged with violating this section has the burden of proceeding to
2 show that the modifications are permitted under this section.
3 ~~6.~~ ~~h.~~f. Vehicles owned by law enforcement agencies, the military, firefighting agencies,
4 and ambulances may be modified without regard to this section.
5 ~~7.~~ ~~4.~~3. The director may adopt rules to implement this section.
6 **SECTION 2. LEGISLATIVE MANAGEMENT STUDY - DRIVERS AND MOTOR**
7 **VEHICLES.** During the 2011-12 interim, the legislative management shall consider studying the
8 regulations of drivers and of motor vehicles in the North Dakota Century Code for consistency,
9 clarity, and substance. The legislative management shall report its findings and
10 recommendations, together with any legislation required to implement the recommendations, to
11 the sixty-third legislative assembly.