Sixty-fourth
Legislative Assembly
of North Dakota

SENATE BILL NO. 2166

Introduced by

Senators Oehlke, Armstrong

A BILL for an Act to amend and reenact section 39-21-45.1 of the North Dakota Century Code, relating to modified vehicles.

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~~an individual 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 weight of ~~seven~~ten thousand pounds [~~3175.14~~4535.92 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. As to bumpers, motor vehicle height, and permitted modifications, 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.
   ~~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 standards~~the director's requirements.

~~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~~the director's requirements.

~~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)~~ ~~B~~be at least three inches [7.62 centimeters] in vertical width;

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

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

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

~~5.~~ e. ~~A person~~An individual charged with violating this section has the burden of ~~proceeding to show~~showing that the modifications are permitted under this section.

~~6.~~ f. Vehicles owned by law enforcement agencies, the military, firefighting agencies, and ambulances may be modified without regard to this section.

~~7.~~ g. The director may adopt rules to implement this section.