

**CHAPTER 38-06-04**  
**LIABILITY OF PERMIT APPLICANT AND PERMIT CONDITIONS**

Section

38-06-04-01

Liability of Permit Applicant

38-06-04-02

Permit Cancellation and Hearing Request

**38-06-04-01. Liability of permit applicant.**

1. The applicant or permittee, as a condition for obtaining an oversize or overweight, or both, permit, shall assume all responsibility for accidents, damage, or injury to any persons or damage to public or private property caused by the movement of any oversize or overweight, or both, vehicle or load covered by the permit while upon public highways of the state.
2. The applicant or permittee agrees to indemnify and hold harmless the North Dakota department of transportation, the North Dakota highway patrol, their officers, and employees from any and all claims resulting directly or indirectly from the movement of an oversize or overweight, or both, vehicle or load on any public highway of the state of North Dakota.

**History:** Effective January 1, 1988; amended effective January 1, 1992.

**General Authority:** NDCC 39-12-02, 39-12-04, 39-12-05.3

**Law Implemented:** NDCC 39-12-02, 39-12-04, 39-12-05.3

**38-06-04-02. Permit cancellation and hearing request.**

1. The highway patrol has the authority to revoke or cancel permit privileges when the applicant or permittee is in violation of the regulations adopted herein or conditions of the permit.
2. The revocation or cancellation of permit privileges includes the privilege to use the self-issuing single trip permits.
3. When notification is made of the cancellation of permit privileges, the applicant or permittee has ten days to request a hearing with the superintendent.

**History:** Effective January 1, 1988.

**General Authority:** NDCC 39-12-02, 39-12-04, 39-12-05.3

**Law Implemented:** NDCC 39-12-02, 39-12-04, 39-12-05.3