

**Sixtieth Legislative Assembly of North Dakota
In Regular Session Commencing Wednesday, January 3, 2007**

HOUSE BILL NO. 1359
(Representatives Belter, Aarsvold, D. Johnson)
(Senators Klein, G. Lee)

AN ACT to create and enact a new section to chapter 39-21 of the North Dakota Century Code, relating to rear-end protection of trucks and trailers; to provide for a legislative council study; and to provide for a contingent effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 39-21 of the North Dakota Century Code is created and enacted as follows:

Exemption from rear-end protection requirements. The superintendent of the highway patrol may not adopt or enforce any law or rule requiring rear-end protection on a rear-end dump truck or other rear unloading truck or trailer while being used for hauling agricultural and other farm products from a place of production or on a farm storage site to a place of processing or storage.

SECTION 2. LEGISLATIVE COUNCIL - EXEMPTION FROM FEDERAL MOTOR CARRIER SAFETY REGULATIONS STUDY. The legislative council shall consider studying, during the 2007-08 interim, federal motor carrier safety regulations and exemptions for interstate and intrastate transportation in relation to this state's laws and exemptions. This study shall include a review of any industry-specific applications of regulations and possible exemptions to current transportation activities within this state. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-first legislative assembly.

SECTION 3. CONTINGENT EFFECTIVE DATE. Section 1 of this Act becomes effective on the earlier of October 1, 2008, or on approval of this state's application for exemption from rear-end protection requirements for vehicles in section 1 of this Act by the federal motor carrier safety administration, unless the superintendent of the highway patrol does not complete and submit an application for exemption for vehicles in section 1 of this Act by July 1, 2007, then section 1 of this Act becomes effective on August 1, 2007.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixtieth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1359.

House Vote: Yeas 84 Nays 8 Absent 2

Senate Vote: Yeas 44 Nays 2 Absent 1

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2007.

Approved at _____ M. on _____, 2007.

Governor

Filed in this office this _____ day of _____, 2007,

at _____ o'clock _____ M.

Secretary of State