

**Sixty-second Legislative Assembly of North Dakota  
In Regular Session Commencing Tuesday, January 4, 2011**

HOUSE BILL NO. 1082  
(Transportation Committee)  
(At the request of the Department of Transportation)

AN ACT to create and enact section 39-12-24 of the North Dakota Century Code, relating to cooperative regional permit agreements on excess size or weight vehicles.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1.** Section 39-12-24 of the North Dakota Century Code is created and enacted as follows:

**39-12-24. Authority for cooperative regional permit agreements on excess size or weight vehicles.**

1. The superintendent and the director, or the director's designee, may enter cooperative regional permit agreements with any state that has enacted a law authorizing the agreement for the regional operation or movement of nondivisible oversize or overweight vehicles and to facilitate the uniform application, administration, and enforcement of laws concerning nondivisible oversize or overweight vehicles.
2. The agreement may include the establishment of a regional permit system for the operation or movement of nondivisible oversize or overweight vehicles from one state in the region to or through other states in the region under a single-trip permit in accordance with the requirements of any state that is a party to the agreement.
3. The North Dakota highway patrol and the department may enter the agreement with any state that has enacted a law authorizing the agreement to:
  - a. Authorize any state to issue regional permits for nondivisible oversize or overweight vehicles to operate on North Dakota state highways. A regional permit issued by any state must conform to North Dakota permit requirements in chapter 39-12, the rules and regulations implementing chapter 39-12, and as required in the agreement;
  - b. Issue regional permits for nondivisible oversize or overweight vehicles to operate on highways of any state that has enacted laws authorizing the agreement in accordance with the laws of the state and as required in the agreement; and
  - c. Agree to the administration of the agreement by any state that is party to the agreement.
4. The North Dakota highway patrol may enforce the terms of any regional permit concerning the operation of the permitted vehicle on North Dakota state highways according to North Dakota law.
5. The agreement must provide that employees and officials of any state that is party to the agreement who administer or enforce the agreement, or who otherwise act under the terms of the agreement, may not be eligible for compensation, employee rights, or benefits from North Dakota and may not be considered employees or officials of North Dakota.
6. The agreement may provide for uniform procedures and standards for nondivisible oversize and overweight vehicles and regional permits, including enforcement procedures, safety inspection standards, operational standards, permit and application form procedures, and driver qualifications.

7. The North Dakota highway patrol shall deposit all fees it may collect for regional permits on behalf of any state included in the agreement into a fund established as the regional permit fund. All moneys collected by the North Dakota highway patrol as fees for the issue of a regional permit and deposited into the regional permit fund are appropriated on a continuing basis for the purpose of paying each state included in the agreement for each state's respective share of the total fees collected for the regional permit. The North Dakota highway patrol shall deposit all moneys collected on behalf of North Dakota for regional permits issued under this section into the state highway fund in accordance with section 39-12-02.
  
8. Notwithstanding any provision of this section to the contrary, all North Dakota statutes and rules and regulations prescribing size or weight vehicle requirements, or relating to permits for oversize or overweight vehicles, remain in full force and effect until amended or repealed by law, and the agreement entered under this section must comply with North Dakota statutes and rules and regulations.

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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 Sixty-second Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1082.

House Vote:    Yeas 93            Nays 0            Absent 1

Senate Vote:    Yeas 47            Nays 0            Absent 0

\_\_\_\_\_  
Chief Clerk of the House

Received by the Governor at \_\_\_\_\_ M. on \_\_\_\_\_, 2011.

Approved at \_\_\_\_\_ M. on \_\_\_\_\_, 2011.

\_\_\_\_\_  
Governor

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 2011,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State