

Sixty-fifth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1255

Introduced by

Representatives D. Ruby, Owens, Weisz

Senators Campbell, Laffen

1 A BILL for an Act to create and enact a new chapter to title 24 and a new subsection to section
2 39-12-05.3 of the North Dakota Century Code, relating to the creation of a large truck primary
3 highway network and the permitting of increased vehicle weights.

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

5 **SECTION 1.** A new chapter to title 24 of the North Dakota Century Code is created and
6 enacted as follows:

7 **Primary network.**

8 The department of transportation shall establish a limited transportation network within this
9 state. The initial network consists of selected highways and the interstate system to serve as
10 the foundation for this system. The department may modify the foundation through a public
11 involvement process established by the department. The foundation for the system consists of:

- 12 1. United States highway 83 from the South Dakota border to Minot;
- 13 2. United States highway 85 from the South Dakota border to Williston;
- 14 3. United States highway 52 from Minot to the Canadian border;
- 15 4. United States highway 2 from the Montana border to the Minnesota border;
- 16 5. Interstate highway 94 from the Montana border to the Minnesota border, subject to
17 federal approval; and
- 18 6. Interstate highway 29 from the South Dakota border to the Canadian border, subject to
19 federal approval.

20 **Process for modification.**

- 21 1. The department of transportation shall establish a process to adjust the network by
22 adding specific segments of the United States or state highway system. The process
23 must include an advisory committee to provide input to the department in actions

- 1 taken to adjust the system, taking into consideration the economic needs and benefits,
2 investment and maintenance requirements, and safety.
3 2. The department shall establish a request mechanism for commercial entities and for
4 individuals who reside in the state to request specific augmentations of the system
5 based on economic need and outcomes.

6 **Advisory committee.**

- 7 1. The advisory committee must be chaired by the director of the department of
8 transportation or a designee of the director and must consist of a representative
9 appointed by:
10 a. The greater North Dakota chamber;
11 b. The North Dakota association of counties;
12 c. The agriculture commissioner;
13 d. The commerce commissioner;
14 e. The superintendent of the highway patrol;
15 f. The North Dakota motor carriers association; ~~and~~
16 g. The North Dakota league of cities; and
17 h. Representatives of short line railroads operating in this state.
18 2. The committee may be augmented by the department as deemed necessary in
19 consultation with the advisory committee.

20 **Conditional approval for interstate highway system within North Dakota.**

21 The department may include the interstate highway system within the state as part of the
22 primary foundation network if approved through passage of legislation by the
23 ~~congress~~Congress of the United States.

24 **Authority to establish truck axle configuration and weight limits associated with the**
25 **one hundred twenty-nine thousand pound network.**

26 Notwithstanding any other provision of law, the department of transportation, in consultation
27 with the advisory committee, may adopt rules to establish the required axle configurations and
28 weight limit requirements for trucks weighing more than one hundred five thousand five hundred
29 pounds [47854 kilograms] utilizing the network established by this chapter.

1 **Preservation of existing truck weight provisions.**

2 This chapter does not modify or authorize any change to the existing weight limitations for
3 trucks with gross vehicle weight up to one hundred five thousand five hundred pounds [47854.
4 kilograms].

5 **SECTION 2.** A new subsection to section 39-12-05.3 of the North Dakota Century Code is
6 created and enacted as follows:

7 The director may issue a permit for a truck with a gross weight that exceeds one
8 hundred five thousand five hundred pounds [47854.00 kilograms], not to exceed one
9 hundred twenty nine thousand pounds [58513.41 kilograms]. The monthly permit fee is
10 one hundred dollars per month or seven hundred dollars annually. Vehicle weight
11 under this subsection is determined according to the formula under subsection 2 of
12 section 39-12-05.