

HOUSE BILL NO. 1320

Introduced by

Representatives D. Ruby, B. Anderson, Jones, Steiner

Senators Bekkedahl, Laffen, Rust

1 A BILL for an Act to amend and reenact section 39-12-02 of the North Dakota Century Code,
2 relating to a uniform truck permitting system for oversized or overweight vehicles; and to
3 provide a penalty.

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

5 **SECTION 1. AMENDMENT.** Section 39-12-02 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **39-12-02. Special permits for vehicles of excessive size and weight issued -**
8 **Contents - Fees.**

9 1. a. The highway patrol and local authorities in their respective jurisdictions, upon
10 application and payment of the appropriate charges and for good cause shown,
11 may issue a special written permit authorizing the applicant to operate or move a
12 vehicle, mobile home, or modular unit of a size or weight exceeding the
13 maximum specified by this chapter, upon a highway under the jurisdiction of the
14 body granting the permit. ~~Every~~A permit may designate the route to be traversed
15 and may contain ~~any~~ other restrictions or conditions deemed necessary by the
16 body granting the permit. Every permit must be carried in the vehicle to which it
17 refers in printed or electronic format and must be opened to inspection by ~~anya~~a
18 peace officer or agent of the superintendent of the highway patrol unless prior
19 approval is obtained from the highway patrol. It is a violation of this chapter for
20 ~~anya~~a person to violate ~~any~~ of the terms or conditions of the permit. The highway
21 patrol and local authorities may adopt rules governing the movement of oversize
22 and overweight vehicles.

23 b. Each township in a county that participates in a uniform truck permitting system
24 for authorization of oversized or overweight vehicle movements shall participate

1 in the same system. The department shall allow for the most efficient routing of
2 oversized or overweight loads through the state highway system and take into
3 consideration the impacts on city, county, township, and state roads.

4 c. When fee changes are proposed, a uniform permit system shall provide public
5 notice of the date, hour, and place at which the public may comment on the
6 proposed fee changes.

7 d. Notwithstanding any other provision of this chapter, a city, county, or township
8 having control of roads may not impose additional fees for the use of roads
9 beyond the fees established under a uniform permit program, unless any person
10 requests and agrees to pay additional fees. A city, county, or township may issue
11 a penalty to a person that violates a posted road restriction.

12 2. Upon anyan application for a permit to move a new manufactured building or modular
13 unit from outside this state to be located anywhere within this state, the manufacturer
14 is deemed to have certified that the new manufactured building or modular unit meets
15 all applicable building codes and all applicable electrical wiring and equipment,
16 plumbing, and fire standards. The state is not liable to anya person for issuing a permit
17 in violation of this subsection.

18 3. An appropriate charge must be made for each permit and all funds collected
19 hereunder by the highway patrol must be deposited in the state highway fund for use
20 in the construction and maintenance of highways and operating expenses of the
21 department. Permit fees generated by a political subdivision must be deposited in the
22 local authority's general fund for support of the local road system. Publicly owned
23 vehicles that provide service beyond the agency's jurisdiction, official, publicly owned,
24 emergency, or military vehicles are not subject to charges for permits. The minimum
25 fee for selected charges is as follows:

26 a. The fee for the ten percent weight exemption, harvest and wintertime, is fifty
27 dollars per month for fees paid on a monthly basis or two hundred fifty dollars per
28 year for fees paid on a yearly basis. Unused fees paid on a monthly basis are
29 refundable. Unused fees paid on a yearly basis are not refundable.

30 b. The fee for a non-self-issuing interstate permit is ten dollars per trip or three
31 hundred dollars per calendar year for unlimited trips.

- 1 c. The fee for special mobile equipment is twenty-five dollars per trip.
- 2 d. The fee for engineering is twenty-five dollars per trip.
- 3 e. The fee for faxing a permit is five dollars.
- 4 f. The fee for a single trip permit is twenty dollars per trip.
- 5 g. The fee for a bridge length permit is thirty dollars per trip or one hundred fifty
6 dollars per calendar year.
- 7 h. The fee for a longer combination vehicle permit is one hundred dollars per month
8 for fees paid on a monthly basis.
- 9 i. The fee for an overwidth vehicle or load that is fourteen feet six inches
10 [4.42 meters] or less is twenty dollars per trip or one hundred dollars per calendar
11 year unless the vehicle is a noncommercial fishhouse trailer being moved by the
12 owner, then the fee is twenty dollars per calendar year.
- 13 j. The highway patrol may establish an online electronic permit system. If the
14 highway patrol establishes an online electronic permit system, the highway patrol
15 shall assess an additional fifteen dollar fee for every permit issued under this
16 section to be deposited into the motor carrier electronic permit transaction fund.
- 17 4. The director of tax equalization of the county of destination must be furnished a copy
18 of the permit for the movement of an overdimensional mobile home.
- 19 5. Permits issued for overdimensional movements of vehicles that do not exceed ten feet
20 [3.05 meters] in total width, including load, are valid for travel during the day and night.
- 21 6. There is created in the state treasury a fund known as the motor carrier electronic
22 permit transaction fund. All money in the fund is appropriated on a continuing basis to
23 the highway patrol to defray the costs of establishing and maintaining an online
24 electronic permit system for permitting and routing oversize and overweight vehicles in
25 this state. The highway patrol may contract with a private entity to establish, operate,
26 and maintain an online electronic permit system. The online electronic permit system
27 includes the issuance of permits under this section and an automated routing system.
28 The automated routing system must include integration of department of transportation
29 traveler information system information, all other data required for the automated
30 routing system, and integration of the highway patrol computer-aided dispatch system.