

Sixty-seventh  
Legislative Assembly  
of North Dakota

## ENGROSSED HOUSE BILL NO. 1068

Introduced by

Transportation Committee

(At the request of the Parks and Recreation Department)

1 A BILL for an Act to amend and reenact subsection 8 of section 39-24-01 and subsection 2 of  
2 section 39-29-01 of the North Dakota Century Code, relating to the definition of an off-highway  
3 vehicle and a snowmobile.

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

5 **SECTION 1. AMENDMENT.** Subsection 8 of section 39-24-01 of the North Dakota Century  
6 Code is amended and reenacted as follows:

7 8. "Snowmobile" means a self-propelled vehicle intended for off-road travel primarily on  
8 snow, having a curb weight of not more than one thousand two hundred pounds  
9 [544.31 kilograms], driven by track or tracks in contact with the snow, steered by a ski  
10 or skis in contact with the snow, and which is not wider than forty-eight inches  
11 [121.92 centimeters]. ~~The term does not include an off-highway vehicle as defined in~~  
12 ~~chapter 39-29 converted to operate on tracks.~~

13 **SECTION 2. AMENDMENT.** Subsection 2 of section 39-29-01 of the North Dakota Century  
14 Code is amended and reenacted as follows:

15 2. "Off-highway vehicle" means any motorized vehicle not designed for use on a highway  
16 and capable of cross-country travel on land, snow, ice, marsh, swampland, or other  
17 natural terrain. The term includes a motorized vehicle converted to operate on snow.

18 An off-highway vehicle must be classified into one of the following categories:

- 19 a. Class I off-highway vehicle is a vehicle that does not qualify as road capable  
20 under chapters 39-21 and 39-27, has a seat or a saddle designed to be straddled  
21 by the operator, and has handlebars for steering control of two wheels.
- 22 b. Class II off-highway vehicle is fifty inches [1270.00 millimeters] or less in width,  
23 weighs one thousand two hundred pounds [544.31 kilograms] or less, and travels  
24 on three or more nonhighway tires; or is sixty-five inches [1651 millimeters] or

- 1                   less in width, weighs two thousand pounds [907.19 kilograms] or less, and travels  
2                   on four or more nonhighway tires.
- 3           c.   Class III off-highway vehicle weighs less than eight thousand pounds  
4                   [3628.74 kilograms]; travels on skis, runners, tracks, or four or more tires; has a  
5                   seat; has a wheel, handlebars, or t steering for steering control; and is  
6                   designated for or capable of cross-country on or over land, water, sand, snow,  
7                   ice, marsh, swampland, or other natural terrain, but does not include a vehicle  
8                   registered by the department under chapter 39-04 or 39-24.