



Brandon Solberg  
Superintendent

# NORTH DAKOTA HIGHWAY PATROL

State Capitol, 600 E. Boulevard Ave., Dept. 504 Bismarck, ND 58505-0240  
Phone: 701-328-2447 Email: ndhpinfo@nd.gov Website: www.nd.gov/ndhp



Doug Burgum  
Governor

September 13, 2018

Ms. Vonette Richter  
Assistant Code Revisor  
North Dakota Legislative Council  
State Capitol  
600 East Boulevard, 2nd Floor  
Bismarck, ND 58505-0360

Dear Ms. Richter:

The Notice of Intent to Amend Administrative Rules and a copy of the proposed rules are attached as required by N.D.C.C. § 28-32-10(1).

Sincerely,

Colonel Brandon Solberg

Enclosures

## **NOTICE OF INTENT TO AMEND ADMINISTRATIVE RULES**

TAKE NOTICE that the North Dakota Highway Patrol will hold a public hearing to address proposed new and amended N.D. Admin Code Title 38, Article 6, Chapter 2, Sections 1 and 7, Chapter 3 Section 1. The hearing will be at **10 AM CST on Wednesday, October 17, 2018 at NDHP Headquarters Conference Room, 600 East Blvd Ave, Bismarck, ND.**

**The purpose of the proposed amendments is to comply with North Dakota Century Code.**

38-06-02-01 #1 adding. Annual overlength permits. Currently the rules only allow for overwidth.

38-06-02-07 #6 adding. Annual overlength permits. Currently the rules only allow for overwidth loads to be sold as an annual permit for size.

38-06-03-01 #7 adding. The 129,000 Primary Network permit was allowed following passage during the 2017 legislative session. We are proposing to exempt this permit from ton mile fees during spring weight restrictions if on roads restricted to legal weight.

**The proposed amendments addresses:**

38-06-02-01 #1 adding. Annual overlength permits were passed during the 2017 legislative session. This will allow us to comply with NDCC 39-12-02 #3 letter j.

38-06-02-07 #6 adding. Annual overlength permits were passed during the 2017 legislative session. This will allow us to comply with NDCC3-12-02 #3 letter j.

38-06-03-01 #7 adding. The 129,000 Primary Network permit was allowed with the 2017 legislative session. This will allow us to comply with selling permits up to 129,000 pounds per NDCC 39-12-05.3 #5. A fee was set for \$700 annually by the 2017 Legislature.

The proposed amendments are not expected to have an impact on the regulated community in excess of \$50,000.

The proposed rules may be reviewed at the North Dakota Highway Patrol, 600 E Blvd Ave. Dept. 504, Bismarck, ND 58505. A copy of the proposed rules and/or a regulatory analysis may be requested by writing the above address or calling **701-328-2447**. Written or oral comments on the proposed rules sent to the above address or telephone number and received by **Nov. 1, 2018 at 11:59 pm** will be fully considered.

If you plan to attend the public hearing and will need special facilities or assistance relating to a disability, please contact the NDHP at the above telephone number at least 10 days prior to the public hearing.

Dated this 13th day of September, 2018.

Colonel Brandon Solberg  
Superintendent