

Introduced by

Representatives D. Ruby, Delmore, Owens, Sanford

Senators Campbell, Casper, Laffen

1 A BILL for an Act to amend and reenact section 39-12-02 of the North Dakota Century Code,
2 relating to an annual permit for oversized vehicles; to provide for an effective date; and to
3 provide for an expiration date.

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

1 all applicable building codes and all applicable electrical wiring and equipment,
2 plumbing, and fire standards. The state is not liable to anya person for issuing a permit
3 in violation of this subsection.

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

- 12 a. The fee for the ten percent weight exemption, harvest and wintertime, is fifty
13 dollars per month for fees paid on a monthly basis or two hundred fifty dollars per
14 year for fees paid on a yearly basis. Unused fees paid on a monthly basis are
15 refundable. Unused fees paid on a yearly basis are not refundable.
- 16 b. The fee for a non-self-issuing interstate permit is ten dollars per trip or three
17 hundred dollars per calendar year for unlimited trips.
- 18 c. The fee for special mobile equipment is twenty-five dollars per trip.
- 19 d. The fee for engineering is twenty-five dollars per trip.
- 20 e. The fee for faxing a permit is five dollars.
- 21 f. The fee for a single trip permit is twenty dollars per trip.
- 22 g. The fee for a bridge length permit is thirty dollars per trip or one hundred fifty
23 dollars per calendar year.
- 24 h. The fee for a longer combination vehicle permit is one hundred dollars per month
25 for fees paid on a monthly basis.
- 26 i. The fee for an overwidth vehicle or load that is fourteen feet six inches
27 [4.42 meters] or less is twenty dollars per trip or one hundred and fifty dollars per
28 calendar year unless the vehicle is a noncommercial fishhouse trailer being
29 moved by the owner, then the fee is twenty dollars per calendar year.

- 1 j. The fee for an overlength vehicle or load that is one hundred and twenty feet
2 [36.576 meters] or less is twenty dollars per trip or one hundred and fifty dollars
3 per calendar year.
- 4 j.k. The highway patrol may establish an online electronic permit system. If the
5 highway patrol establishes an online electronic permit system, the highway patrol
6 shall assess an additional fifteen dollar fee for every permit issued under this
7 section to be deposited into the motor carrier electronic permit transaction fund.
- 8 4. The director of tax equalization of the county of destination must be furnished a copy
9 of the permit for the movement of an overdimensional mobile home.
- 10 5. Permits issued for overdimensional movements of vehicles ~~that do not~~
11 ~~exceed~~exceeding ten feet [3.05 meters] in total width, including load, are valid for
12 travel during the day and night. Permits issued for overdimensional movements of
13 vehicles not exceeding one hundred and twenty feet [36.576 meters] in total length,
14 including load, are valid for travel during the day and night with proper lighting.
- 15 6. There is created in the state treasury a fund known as the motor carrier electronic
16 permit transaction fund. All money in the fund is appropriated on a continuing basis to
17 the highway patrol to defray the costs of establishing and maintaining an online
18 electronic permit system for permitting and routing oversize and overweight vehicles in
19 this state. The highway patrol may contract with a private entity to establish, operate,
20 and maintain an online electronic permit system. The online electronic permit system
21 includes the issuance of permits under this section and an automated routing system.
22 The automated routing system must include integration of department of transportation
23 traveler information system information, all other data required for the automated
24 routing system, and integration of the highway patrol computer-aided dispatch system.

25 **SECTION 2. EFFECTIVE DATE - EXPIRATION DATE.** This Act is effective January 1, 2018
26 through December 31, 2019 and after that date is ineffective.