

Fifty-fifth  
Legislative Assembly  
of North Dakota

## HOUSE BILL NO. 1186

Introduced by

Representatives Belter, Nelson

Senators G. Nelson, Wanzek

1 A BILL for an Act to amend and reenact subsection 1 of section 39-12-04 of the North Dakota  
2 Century Code, relating to commercial movement of fertilizer spreaders.

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

4 **SECTION 1. AMENDMENT.** Subsection 1 of section 39-12-04 of the 1995 Supplement  
5 to the North Dakota Century Code is amended and reenacted as follows:

6 1. A total outside width, including load thereon, of eight feet six inches [2.59 meters].

7 This limitation does not apply to:

8 a. Construction and building contractors' equipment and vehicles used to move  
9 such equipment which does not exceed ten feet [3.05 meters] in width when  
10 being moved by contractors or resident carriers.

11 b. Implements of husbandry being moved by resident farmers, ranchers,  
12 dealers, or manufacturers between sunrise and sunset. Furthermore, the  
13 limitation does not apply to implements of husbandry being moved between  
14 sunset and sunrise by resident farmers, ranchers, dealers, or manufacturers  
15 on public state, county, or township highway systems other than interstate  
16 highway systems.

17 c. Hay in the stack or bale being moved along the extreme right edge of a  
18 roadway between sunrise and sunset by someone other than a commercial  
19 mover.

20 d. Commercial movement of haystacks or hay bales with vehicles designed  
21 specifically for hauling hay, ~~overwidth~~ commercial movement of self-propelled  
22 fertilizer spreaders, whether operating under their own power or being  
23 transported by another vehicle, and ~~overwidth~~ the commercial movement of  
24 hay grinders, which may be ~~operated~~ moved on the highway after obtaining a

1 permit issued by the highway patrol. The highway patrol shall issue permits  
2 that are valid during daylight hours on any day of the week, or that are valid at  
3 all times for the movement of self-propelled fertilizer spreaders, to any  
4 commercial ~~mover~~ entity otherwise qualified under this subdivision.

5 Self-propelled fertilizer spreaders operating under their own power between  
6 sunset and sunrise must display vehicle hazard warning signal lamps as  
7 described in subsection 3 of section 39-21-19.1. The permit is in lieu of  
8 registration requirements for the permit period. No permit may be issued,  
9 unless proof of financial responsibility in a minimum of three hundred  
10 thousand dollars is filed and the appropriate permit fee is paid. The permit  
11 may also be issued for hauling hay bales with vehicles or vehicle  
12 combinations other than those designed specifically for hauling haystacks.  
13 This permit, however, will not be in lieu of registration requirements. All  
14 permit fees must be deposited in the state highway distribution fund.

15 e. Safety devices that the highway patrol determines are necessary for the safe  
16 and efficient operation of motor vehicles may not be included in the  
17 calculation of width.

18 f. Any nonload carrying safety appurtenance as determined by the highway  
19 patrol which extends no more than three inches [7.62 centimeters] from each  
20 side of a trailer is excluded from the measurement of trailer width. The width  
21 of a trailer is measured across the sidemost load carrying structures, support  
22 members, and structural fasteners.

23 g. The highway patrol may adopt reasonable rules for those vehicles exempted  
24 from the width limitations as provided for in this subsection.