

Fifty-fifth
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2012

Introduced by

Appropriations Committee

(At the request of the Governor)

1 A BILL for an Act to make an appropriation for defraying the expenses of the various divisions
2 under the supervision of the director of the department of transportation; and to amend and
3 reenact section 39-12-02 of the North Dakota Century Code, relating to special trip permits.

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

5 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the
6 funds as may be necessary, are hereby appropriated out of any moneys from special funds
7 derived from federal funds and other income, to the various divisions under the supervision of
8 the director of the department of transportation for the purpose of defraying its expenses, for
9 the biennium beginning July 1, 1997, and ending June 30, 1999, as follows:

10 Administration	\$ 24,084,794
11 Motor vehicle	6,525,312
12 Driver's license	8,870,358
13 Highways	382,681,779
14 Fleet services	<u>30,662,535</u>
15 Total all funds	\$452,824,778

16 **SECTION 2. LINE ITEM TRANSFERS.** Upon approval of the emergency commission,
17 the director of the department of transportation may transfer between various line items in
18 section 1 of this Act appropriation authority of up to ten percent of a given line item to adjust for
19 changing circumstances in meeting established performance measures. Any further transfers
20 must be approved by the budget section.

21 **SECTION 3. TRANSFER.** There is hereby transferred to the state highway fund in the
22 state treasury, out of motor vehicle excise tax revenue, collected pursuant to section
23 57-40.3-02, the sum of \$282,200 for the purpose of reimbursing the department of
24 transportation for expenses incurred in the collection of motor vehicle excise tax.

SECTION 4. AMENDMENT. Section 39-12-02 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

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

1. The highway patrol and local authorities in their respective jurisdictions, upon application and payment of the appropriate charges and for good cause shown, may issue a special written permit authorizing the applicant to operate or move a vehicle, mobile home or modular unit of a size or weight exceeding the maximum specified by this chapter, upon a highway under the jurisdiction of the body granting the permit. Every ~~such~~ permit may designate the route to be traversed, and may contain any other restrictions or conditions deemed necessary by the body granting ~~such~~ the permit. Every ~~such~~ permit must be carried in the vehicle to which it refers and must be opened to inspection by any peace officer or agent of the superintendent of the highway patrol unless prior approval is obtained from the highway patrol. Verification of weight for permits for overweight vehicles may be obtained at either the nearest weigh station from the beginning of the route or at the point of destination. It is a violation of ~~the provisions of~~ this chapter for any person to violate any of the terms or conditions of ~~such special~~ the permit. All permits for the movement of excessive size and weight on state highways must be single trips only. The highway patrol and local authorities may adopt rules governing the movement of oversize and overweight vehicles.
2. An appropriate charge must be made for each permit and all funds collected hereunder by the highway patrol must be deposited in the state highway fund and are hereby appropriated for use in the construction and maintenance of highways and operating expenses of the department of transportation. The appropriate charges are as follows:

 - a. For each permit for the movement of a mobile home or modular unit, the fee is ~~ten~~ twenty dollars.
 - b. Official or publicly owned vehicles may not be required to pay charges for permits.

- 1 c. The fee for registered motor vehicles hauling or towing oversized or
2 overweight, or both, loads is twenty dollars per each single trip permit.
- 3 d. The fee for registered motor vehicles that exceed legal size or legal weight, or
4 both, limitations is twenty dollars per each single trip permit.
- 5 e. The fee for nonregistered self-propelled special mobile equipment that
6 exceeds legal weight limitations is thirty dollars per each single trip permit.
- 7 f. The fee for nonregistered self-propelled special mobile equipment that exceeds
8 legal size limitations only is twenty dollars per each single trip permit.
- 9 g. The fee for each identification supplement, identifying a motor vehicle and
10 axle configuration so that self-issuing single trip permits can be used, is
11 twenty dollars each.
- 12 h. The fee for exceeding the federal gross vehicle weight limitation of eighty
13 thousand pounds [36287 kilograms] on the interstate highway system is ten
14 dollars per each "interstate only" single trip permit.
- 15 i. The fee for vehicles hauling overwidth loads of hay bales or haystacks,
16 overwidth self-propelled fertilizer spreaders, and overwidth hay grinders is
17 one hundred dollars per year.
- 18 j. The fee when movement requires department of transportation engineer
19 approval is thirty dollars in addition to permit fee.
- 20 k. There is an additional heavyweight fee of one hundred forty dollars per ton for
21 all weight in excess of one hundred five thousand five hundred pounds
22 [47910 kilograms] gross vehicle weight but not to exceed two hundred
23 thousand pounds [90718 kilograms] gross vehicle weight. The fee may be
24 prorated on a monthly basis and does not apply on those motor vehicles
25 which are North Dakota titled and registered.
- 26 l. There is an additional ton/mile fee on all those movements that exceed two
27 hundred thousand pounds [90718 kilograms] gross vehicle weight. The
28 following ton/mile fee is assessed upon that portion of gross vehicle weight
29 exceeding the maximum legal gross weight of one hundred five thousand five
30 hundred pounds [47910 kilograms].

Fifty-fifth
Legislative Assembly

1	<u>Gross Vehicle</u>		
2	<u>Weight</u>	<u>Ton/Mile Fee</u>	<u>Minimum</u>
3	<u>200,001 to 210,000</u>	<u>\$.10</u>	<u>\$ 50.00</u>
4	<u>210,001 to 220,000</u>	<u>.20</u>	<u>50.00</u>
5	<u>220,001 to 230,000</u>	<u>.30</u>	<u>50.00</u>
6	<u>230,001 to 240,000</u>	<u>.40</u>	<u>50.00</u>
7	<u>240,001 to 250,000</u>	<u>.50</u>	<u>50.00</u>
8	<u>250,001 to 275,000</u>	<u>1.00</u>	<u>100.00</u>
9	<u>275,001 to 300,000</u>	<u>4.00</u>	<u>200.00</u>
10	<u>300,001 to 325,000</u>	<u>6.00</u>	<u>350.00</u>
11	<u>325,001 to 350,000</u>	<u>8.00</u>	<u>500.00</u>
12	<u>350,001 to 400,000</u>	<u>14.00</u>	<u>1,000.00</u>
13	<u>400,001 to 450,000</u>	<u>20.00</u>	<u>2,000.00</u>
14	<u>450,001 to 500,000</u>	<u>30.00</u>	<u>3,000.00</u>
15	<u>500,001 to 550,000</u>	<u>40.00</u>	<u>5,000.00</u>
16	<u>550,001 to 600,000</u>	<u>60.00</u>	<u>7,500.00</u>
17	<u>600,001 to 650,000</u>	<u>80.00</u>	<u>10,000.00</u>
18	<u>650,001 to 700,000</u>	<u>100.00</u>	<u>15,000.00</u>
19	<u>700,001 to 750,000</u>	<u>150.00</u>	<u>25,000.00</u>
20	<u>750,001 or more</u>	<u>200.00</u>	<u>Minimum one mile</u>
21	<u>m. On those movements of extraordinary size or weight that require highway</u>		
22	<u>patrol escort there is an escort service fee of thirty cents per mile [kilometer]</u>		
23	<u>and thirty dollars per hour.</u>		
24	<u>3. The director of tax equalization of the county of destination must be furnished a</u>		
25	<u>copy of the permit for the movement of an overdimensional mobile home.</u>		