

HOUSE BILL NO. 1062

Introduced by

Representatives Metcalf, Kerzman, Severson, Weisz

Senators Nichols, Dever

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 width limits and the movement of implements of husbandry.

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

4 **SECTION 1. AMENDMENT.** Subsection 1 of section 39-12-04 of the North Dakota
5 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 governmental entities, dealers, or manufacturers between sunrise and sunset.
13 Furthermore, the limitation does not apply to implements of husbandry being
14 moved between sunset and sunrise by resident farmers, ranchers,
15 governmental entities, dealers, or manufacturers on public state, county, or
16 township highway systems other than interstate 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, commercial movement of self-propelled fertilizer
22 spreaders and self-propelled agricultural chemical applicators, whether
23 operating under their own power or being transported by another vehicle,
24 commercial movement of portable grain cleaners, and the commercial

1 movement of hay grinders, which may be moved on the highway after
2 obtaining a seasonal permit issued by the highway patrol. The highway patrol
3 shall issue seasonal permits that are valid during daylight hours on any day of
4 the week, or that are valid at all times for the movement of self-propelled
5 fertilizer spreaders and self-propelled agricultural chemical applicators, to any
6 commercial entity otherwise qualified under this subdivision. Self-propelled
7 fertilizer spreaders and self-propelled agricultural chemical applicators
8 operating under their own power between sunset and sunrise must display
9 vehicle hazard warning signal lamps as described in subsection 3 of section
10 39-21-19.1. The seasonal permit is in lieu of registration requirements for the
11 permit period. No seasonal permit may be issued, unless proof of financial
12 responsibility in a minimum of three hundred thousand dollars is filed and the
13 appropriate permit fee is paid. The seasonal permit may also be issued for
14 hauling hay bales with vehicles or vehicle combinations other than those
15 designed specifically for hauling haystacks. This seasonal permit, however,
16 will not be in lieu of registration requirements. All permit fees must be
17 deposited in the state highway distribution fund.

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

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

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