

HOUSE BILL NO. 1295  
with Senate AmendmentsSixtieth  
Legislative Assembly  
of North Dakota

## HOUSE BILL NO. 1295

Introduced by

Representatives Weisz, Damschen, Delzer

Senators Erbele, Wanzek

1 A BILL for an Act to amend and reenact section 39-12-02 of the North Dakota Century Code,  
2 relating to permits for vehicles of excessive size and weight; and to declare an emergency.

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

4 **SECTION 1. AMENDMENT.** Section 39-12-02 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **39-12-02. Special permits for vehicles of excessive size and weight issued -**

7 **Contents - Fees.**

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

1 manufacturer is deemed to have certified that the new manufactured building or  
2 modular unit meets all applicable building codes and all applicable electrical wiring  
3 and equipment, plumbing, and fire standards. The state is not liable to any person  
4 for issuing a permit in violation of this subsection.

- 5 3. An appropriate charge must be made for each permit and all funds collected  
6 hereunder by the highway patrol must be deposited in the state highway fund for  
7 use in the construction and maintenance of highways and operating expenses of  
8 the department of transportation. Except for publicly owned vehicles that provide  
9 service beyond the agency's jurisdiction, official, publicly owned, emergency, or  
10 military vehicles are not subject to charges for permits. The minimum fee for  
11 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  
14 per year for fees paid on a yearly basis. Unused fees paid on a monthly basis  
15 are 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  
25 month for fees paid on a monthly basis.

- 26 4. The director of tax equalization of the county of destination must be furnished a  
27 copy of the permit for the movement of an overdimensional mobile home.

28 **SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure.