

June 2007

TITLE 24

Highways, Bridges, and Ferries

Summary of Bills Enacted by 2007 Legislative Assembly

This memorandum summarizes 2007 legislation primarily affecting North Dakota Century Code Title 24. Bills primarily affecting other titles may also affect this title, and relevant provisions of those bills are summarized in this memorandum.

House Bill No. 1130 increases the amount of time the director of the Department of Transportation has to act on claims for extra compensation of \$3 million or more from 60 to 180 days after the claim is served. The bill requires that if a contractor demands arbitration, the decision of the arbitrators must be in writing and must state the basis for the decision.

House Bill No. 1090 deposits user charges for the central vehicle management system in the Fleet Services fund instead of the highway fund.

Senate Bill No. 2305 changes the special board appointed by the board of county commissioners to fix damages for the taking of property for a road to include the county officials responsible for the duties of auditor and two "other" officials rather than specifically naming the county treasurer and recorder.

Senate Bill No. 2214 excludes economic development from the public purposes that may be used for eminent domain as it applies to condemnation of right of way for highways.

House Bill No. 1344 allows a person having a surface interest in a parcel connected by a section line to another parcel of land in which that person has a surface interest or to a highway to petition the board of county commissioners or the board of township supervisors to improve the section line or a portion of the section line for the purposes of travel for agricultural purposes. The bill allows the petition to be approved if the section line cannot be traveled due to natural obstacles or difficulty of terrain and if the petitioner does not have a readily accessible route of travel to the parcel of land. In addition, the bill requires that the expense of the improvement be paid by the petitioner.

House Bill No. 1020 exempts certain vehicles from the central vehicle management system as requested by the director of the Agricultural Experiment Station if the vehicles are used in farming operations at the Agronomy Seed Farm and branch research centers.

House Bill No. 1166 requires the director of the Department of Transportation to include a four-lane alternate in the environmental document for the next major reconstruction project for United States Highway 52. The bill recommends that the four-lane alternative be selected as the preferred alternate and be constructed if the environmental clearance is obtained.

House Bill No. 1012 allows the director of the Department of Transportation to join the Multistate Highway Transportation Agreement to promote uniformity in vehicle size and weight standards and provides for appointment of members of the House and Senate standing Transportation Committees by the Legislative Council.