

Sixty-second
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1349

Introduced by

Representatives Wall, D. Johnson, Vigesaa, Gruchalla

Senators Luick, Oehlke

1 A BILL for an Act to create and enact a new section to chapter 39-06 of the North Dakota
2 Century Code, relating to requirements to operate a motor vehicle to transport agricultural
3 products; and to provide a penalty.

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

5 **SECTION 1.** A new section to chapter 39-06 of the North Dakota Century Code is created
6 and enacted as follows:

7 **Agricultural products - Driver with class D license - Penalty.**

8 1. Notwithstanding any other provision of law, a driver with a class D license who for hire
9 operates a truck or truck-tractor to transport agricultural products shall sign, before
10 being hired, a form in which the driver certifies that the driver:

11 a. Is at least eighteen years of age; and

12 b. Excluding an action or pending action for one violation of section 39-08-01, or
13 equivalent ordinance, within three years from the time of arrest:

14 (1) Has not had a revocation, suspension, or cancellation of driving privileges
15 within the last three years;

16 (2) Does not have a pending action that will result in a revocation, suspension,
17 or cancellation of driving privileges;

18 (3) Has not had a drug-related offense within the last three years; and

19 (4) Does not have a pending action the subject of which is a drug-related
20 offense.

21 2. A person that hires a driver who uses a class D license to operate a truck or
22 truck-tractor to transport agricultural products shall provide to the driver and receive
23 from the driver a signed form as required by this section, obtain the driving record

- 1 abstract of the driver from the department, and verify the information provided by the
2 driver on the form with the driving record abstract before hiring the driver.
3 3. The department shall develop the form with appropriate questions that may be
4 answered in the affirmative or negative. The form must contain a statement of
5 potential penalties that could result from violating this section.
6 4. This section does not apply to a driver or a person hiring a driver if the driver is hired
7 by a grandparent, aunt, uncle, or immediate family member.
8 5. A person knowingly hiring a driver in violation of this section is guilty of a class B
9 misdemeanor. A driver who knowingly violates this section is guilty of a class A
10 misdemeanor.