

Sixty-second
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1442

Introduced by

Representatives Ruby, Gruchalla

1 A BILL for an Act to amend and reenact section 39-21-45.1 of the North Dakota Century Code,
2 relating to modification of motor vehicles; and to provide for a legislative management study.

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

4 **SECTION 1. AMENDMENT.** Section 39-21-45.1 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **39-21-45.1. Modification of motor vehicle.**

7 1. Except as otherwise provided in this section, a person may not operate upon a public
8 highway a motor vehicle of a type required to be registered under the laws of this state
9 with a registered gross weight of ~~sevensixteen~~ thousand pounds
10 [~~3175.147~~257.48 kilograms] or less with alterations or changes from the
11 manufacturer's original design of the suspension, steering, or braking system of the
12 motor vehicle. ~~The weight must be computed on the basis of the unmodified and-~~
13 ~~unloaded weight of the motor vehicle and without regard to any ballast that may be-~~
14 ~~placed in the vehicle.~~

15 2. As to bumpers, motor vehicle height, and permitted modifications, the following
16 requirements also apply:

17 ~~1.~~ a. The motor vehicle must be equipped with front and rear bumpers.

18 ~~2.~~ b. The maximum body height permitted for the motor vehicle is forty-two inches
19 [106.68 centimeters]. Measurement of body height is made from a level ground
20 surface to the floor of the cargo area.

21 ~~3.~~ c. The maximum bumper height permitted is twenty-seven inches [68.58
22 centimeters]. Measurement of bumper height is made from a level ground
23 surface to the highest point on the bottom of the bumper.

24 ~~4.~~ d. The vehicle may be modified in accordance with the following:

- 1 a. (1) Any modifying equipment must meet specialty equipment marketing-
2 associationnational highway traffic safety administration standards.
- 3 b. (2) If tires placed on a motor vehicle have a diameter greater than that of the
4 tires on the motor vehicle as manufactured, those tires must comply with
5 department of transportation requirements.
- 6 c. (3) The maximum outside diameter permitted for tires is forty-four inches
7 [111.76 centimeters].
- 8 d. (4) A horizontal drop bumper may be used to comply with the bumper height
9 requirement of subsection 3. The horizontal bumper must:
- 10 (1) ~~Be~~ be at least three inches [7.62 centimeters] in vertical width;
11 (2) ~~Extend~~ extend the entire horizontal body width; and
12 (3) ~~Be~~ be horizontal, load bearing, and attached to the vehicle ~~frame~~structure to
13 effectively transfer impact when engaged.
- 14 e. (5) The maximum lift permitted in the suspension system is four inches [10.16
15 centimeters].
- 16 5. e. A person charged with violating this section has the burden of proceeding to
17 show that the modifications are permitted under this section.
- 18 6. f. Vehicles owned by law enforcement agencies, the military, firefighting agencies,
19 and ambulances may be modified without regard to this section.

7.3. The director may adopt rules to implement this section.

SECTION 2. LEGISLATIVE MANAGEMENT STUDY - DRIVERS AND MOTOR

VEHICLES. During the 2011-12 interim, the legislative management shall consider studying the regulations of drivers and of motor vehicles in the North Dakota Century Code for consistency, clarity, and substance. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-third legislative assembly.