

**SENATE BILL NO. 2044**  
**with Conference Committee Amendments**  
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Introduced by

Legislative Management

(Public Safety and Transportation Committee)

1 A BILL for an Act to amend and reenact subsection 3 of section 39-12-02 and section 39-12-08  
2 of the North Dakota Century Code, relating to fees for issuing overweight permits and fees for  
3 overweight permit violations for counties; to provide for a legislative management study; and to  
4 declare an emergency.

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

6 **SECTION 1. AMENDMENT.** Subsection 3 of section 39-12-02 of the North Dakota Century  
7 Code is amended and reenacted as follows:

- 8 3. An appropriate charge must be made for each permit and all funds collected  
9 hereunder by the highway patrol must be deposited in the state highway fund for use  
10 in the construction and maintenance of highways and operating expenses of the  
11 department of transportation. Except for publicly. Permit fees generated by a political  
12 subdivision must be deposited in the local authority's general fund for support of the  
13 local road system. Publicly owned vehicles that provide service beyond the agency's  
14 jurisdiction, official, publicly owned, emergency, or military vehicles are not subject to  
15 charges for permits. The minimum fee for selected charges is as follows:
- 16 a. The fee for the ten percent weight exemption, harvest and wintertime, is fifty  
17 dollars per month for fees paid on a monthly basis or two hundred fifty dollars per  
18 year for fees paid on a yearly basis. Unused fees paid on a monthly basis are  
19 refundable. Unused fees paid on a yearly basis are not refundable.
- 20 b. The fee for a non-self-issuing interstate permit is ten dollars per trip or three  
21 hundred dollars per calendar year for unlimited trips.
- 22 c. The fee for special mobile equipment is twenty-five dollars per trip.
- 23 d. The fee for engineering is twenty-five dollars per trip.
- 24 e. The fee for faxing a permit is five dollars.

- 1           f.    The fee for a single trip permit is twenty dollars per trip.
- 2           g.    The fee for a bridge length permit is thirty dollars per trip or one hundred fifty
- 3               dollars per calendar year.
- 4           h.    The fee for a longer combination vehicle permit is one hundred dollars per month
- 5               for fees paid on a monthly basis.
- 6           i.    The fee for an overwidth vehicle or load that is fourteen feet six inches [4.42
- 7               meters] or less is twenty dollars per trip or one hundred dollars per calendar year
- 8               unless the vehicle is a noncommercial fish house trailer being moved by the
- 9               owner, then the fee is twenty dollars per calendar year.

10       **SECTION 2. AMENDMENT.** Section 39-12-08 of the North Dakota Century Code is

11 amended and reenacted as follows:

12       **39-12-08. Penalty for violation of chapter.**

13       A person operating a motor vehicle or the owner of the motor vehicle being operated

14 without a permit as specified in this chapter must be assessed a fee of one hundred dollars. Any

15 person violating any other provision of this chapter, for which a specific penalty is not provided,

16 must be assessed a fee of twenty dollars. Violating the conditions of any permit type

17 automatically voids the permit. For a permit allowed under this chapter, if the violation is of a

18 permit issued by a county under a home rule ordinance or any city, including a home rule city,

19 the statutory fee is for a violation of state law in an amount provided by this section.

20       **SECTION 3. LEGISLATIVE MANAGEMENT STUDY - MOTOR VEHICLE PERMIT FEES.**

21       During the 2011-12 interim, the legislative management shall consider studying motor vehicle

22 permit fees, including overweight and overwidth permit fees charged by cities and counties. The

23 legislative management shall report its findings and recommendations, together with any

24 legislation required to implement the recommendations, to the sixty-third legislative assembly.

25       **SECTION 4. EMERGENCY.** This Act is declared to be an emergency measure.