Sixty-fifth Legislative Assembly of North Dakota

## HOUSE BILL NO. 1133

Introduced by

Transportation Committee

(At the request of the Department of Transportation)

- 1 A BILL for an Act to create and enact a new subsection to section 39-06.2-06 of the North
- 2 Dakota Century Code, relating to the exemption of a class A commercial driver's licenseholder

3 from the hazardous materials endorsement; and to declare an emergency.

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

5 SECTION 1. A new subsection to section 39-06.2-06 of the North Dakota Century Code is
6 created and enacted as follows:

7	Pursuant to the limitations imposed by 49 Code of Federal Regulations part 383.3, the
8	holder of a class A commercial driver's license is exempt from the hazardous materials

9	endorsement,	if the	licenseholder is:

- 10a.Acting within the scope of the licenseholder's employment, and within the state of11domicile, or another state with a hazardous materials enforcement exemption, as
- 12 <u>an employee of a custom harvester operation, agrichemical business, farm retail</u>
- 13 <u>outlet and supplier, or livestock feeder; and</u>
- 14 b. Operating a service vehicle that is transporting diesel in a quantity of one
- 15 <u>thousand gallons [3,785 liters] or less which is clearly marked with "flammable" or</u>
   16 <u>"combustible" placard, as appropriate.</u>
- 17 SECTION 2. EMERGENCY. This Act is declared to be an emergency measure.