

**HOUSE BILL NO. 1186  
with Senate Amendments**

Fifty-fifth  
Legislative Assembly  
of North Dakota

**HOUSE BILL NO. 1186**

Introduced by

Representatives Belter, Nelson

Senators G. Nelson, Wanzek

1 A BILL for an Act to amend and reenact subsection 1 of section 39-12-04 of the North Dakota  
2 Century Code, relating to commercial movement of fertilizer spreaders and agricultural  
3 chemical applicators; and to declare an emergency.

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

5 **SECTION 1. AMENDMENT.** Subsection 1 of section 39-12-04 of the 1995  
6 Supplement to the North Dakota Century Code is amended and reenacted as follows:

7 1. A total outside width, including load thereon, of eight feet six inches [2.59 meters].

8 This limitation does not apply to:

9 a. Construction and building contractors' equipment and vehicles used to move  
10 such equipment which does not exceed ten feet [3.05 meters] in width when  
11 being moved by contractors or resident carriers.

12 b. Implements of husbandry being moved by resident farmers, ranchers,  
13 dealers, or manufacturers between sunrise and sunset. Furthermore, the  
14 limitation does not apply to implements of husbandry being moved between  
15 sunset and sunrise by resident farmers, ranchers, dealers, or manufacturers  
16 on public state, county, or township highway systems other than interstate  
17 highway systems.

18 c. Hay in the stack or bale being moved along the extreme right edge of a  
19 roadway between sunrise and sunset by someone other than a commercial  
20 mover.

21 d. Commercial movement of haystacks or hay bales with vehicles designed  
22 specifically for hauling hay, ~~overwidth~~ commercial movement of self-propelled  
23 fertilizer spreaders and self-propelled agricultural chemical applicators,  
24 whether operating under their own power or being transported by another

- 1            vehicle, and ~~overwidth~~ the commercial movement of hay grinders, which may  
2            be ~~operated~~ moved on the highway after obtaining a permit issued by the  
3            highway patrol. The highway patrol shall issue permits that are valid during  
4            daylight hours on any day of the week, or that are valid at all times for the  
5            movement of self-propelled fertilizer spreaders and self-propelled agricultural  
6            chemical applicators, to any commercial ~~mover~~ entity otherwise qualified  
7            under this subdivision. Self-propelled fertilizer spreaders and self-propelled  
8            agricultural chemical applicators operating under their own power between  
9            sunset and sunrise must display vehicle hazard warning signal lamps as  
10           described in subsection 3 of section 39-21-19.1. The permit is in lieu of  
11           registration requirements for the permit period. No permit may be issued,  
12           unless proof of financial responsibility in a minimum of three hundred  
13           thousand dollars is filed and the appropriate permit fee is paid. The permit  
14           may also be issued for hauling hay bales with vehicles or vehicle  
15           combinations other than those designed specifically for hauling haystacks.  
16           This permit, however, will not be in lieu of registration requirements. All  
17           permit fees must be deposited in the state highway distribution fund.  
18           e. Safety devices that the highway patrol determines are necessary for the safe  
19           and efficient operation of motor vehicles may not be included in the  
20           calculation of width.  
21           f. Any nonload carrying safety appurtenance as determined by the highway  
22           patrol which extends no more than three inches [7.62 centimeters] from each  
23           side of a trailer is excluded from the measurement of trailer width. The width  
24           of a trailer is measured across the sidemost load carrying structures, support  
25           members, and structural fasteners.  
26           g. The highway patrol may adopt reasonable rules for those vehicles exempted  
27           from the width limitations as provided for in this subsection.

28           **SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure.