

Introduced by

Senators Erbele, Taylor, Trenbeath

Representatives Headland, Schmidt, Weisz

1 A BILL for an Act to amend and reenact section 39-12-04 of the North Dakota Century Code,  
2 relating to the length of truck-mounted haystack moving equipment.

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

4 **SECTION 1. AMENDMENT.** Section 39-12-04 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **39-12-04. Width, height, and length limitations on vehicles - Exceptions.**

7 1. Vehicles operated on a highway in this state may not exceed ~~the following width,~~  
8 ~~height, or length limitations:~~

9 ~~4.~~ A a total outside width, including load thereon, of eight feet six inches [2.59  
10 meters]. This limitation does not apply to:

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

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

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

23 d. Commercial movement of haystacks or hay bales with vehicles designed  
24 specifically for hauling hay, commercial movement of self-propelled fertilizer

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



1                   and registered in North Dakota before July 1, 1987, and towed vehicles may  
2                   not exceed a length of sixty feet [18.29 meters].

3           4. Length limitations do not apply to:

4           (1) a. Building moving equipment.

5           (2) b. Emergency tow trucks towing disabled lawful combinations of vehicles to a  
6                   nearby repair facility.

7           (3) c. Vehicles and equipment owned and operated by the armed forces of the  
8                   United States or the national guard of this state.

9           (4) d. Structural material of telephone, power, and telegraph companies.

10          (5) e. Truck-mounted haystack moving equipment, provided ~~such~~ the equipment  
11                   does not exceed a length of ~~fifty-six~~ sixty-five feet [~~17.07~~ 19.81 meters].

12          (6) f. A truck tractor and semitrailer or truck tractor, semitrailer, and the trailer when  
13                   operated on the interstate highway system or parts of the federal aid primary  
14                   system as designated by the director, only when federal law requires the  
15                   exemption.

16          (7) g. Safety and energy conservation devices and any additional length exclusive  
17                   devices as determined by the highway patrol for the safe and efficient  
18                   operation of commercial motor vehicles. Length exclusive devices are  
19                   appurtenances at the front or rear of a commercial motor vehicle semitrailer or  
20                   trailer, whose function is related to the safe and efficient operation of the  
21                   semitrailer or trailer.

22           f. ~~The length of a trailer or semitrailer, including the load thereon, may not~~  
23           ~~exceed fifty three feet [16.15 meters] except that trailers and semitrailers titled~~  
24           ~~and registered in North Dakota prior to July 1, 1987, and towed vehicles may~~  
25           ~~not exceed a length of sixty feet [18.29 meters].~~