

SENATE BILL NO. 2407

Introduced by

Senators O'Connell, Fairfield, Trenbeath

Representatives Hunskor, Nelson, Weisz

1 A BILL for an Act to amend and reenact section 39-12-05.3 of the North Dakota Century Code,
2 relating to weight limitations on vehicles.

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

4 **SECTION 1. AMENDMENT.** Section 39-12-05.3 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **39-12-05.3. ~~(Effective through July 31, 2003)~~ Weight limitations for vehicles on**
7 **highways other than the interstate system.**

8 1. A person may not operate on a highway that is not part of the interstate system any
9 vehicle with a single axle that carries a gross weight in excess of twenty thousand
10 pounds [9071.85 kilograms] or a wheel load over ten thousand pounds [4535.92
11 kilograms]. A wheel may not carry a gross weight over five hundred fifty pounds
12 [249.48 kilograms] for each inch [2.54 centimeters] of tire width. Axles spaced forty
13 inches [101.60 centimeters] apart or less are considered as one axle. On axles
14 spaced over forty inches [101.60 centimeters] and under eight feet [2.44 meters]
15 apart, the axle load may not exceed seventeen thousand pounds [7711.07
16 kilograms] per axle, with a maximum of forty-eight thousand pounds [21772.32
17 kilograms] gross weight on any grouping of three or more axles. The wheel load,
18 in any instance, may not exceed one-half the allowable axle load. Spacing
19 between axles is measured from axle center to axle center.

20 2. Subject to the limitations imposed by subsection 1 on tires, wheel, and axle loads,
21 a person may not operate on a highway that is not part of the interstate system any
22 vehicle the gross weight of which exceeds that determined by the formula of:

23
$$W = 500 \left(\frac{LN}{N-1} + 12N + 36 \right)$$

24

1 where W equals the maximum gross weight in pounds on any vehicle or
2 combination of vehicles; L equals distance in feet between the two extreme axles
3 of any vehicle or combination of vehicles; and N equals the number of axles of any
4 vehicle or combination of vehicles under consideration. The gross weight on state
5 highways may not exceed one hundred five thousand five hundred pounds
6 [47854.00 kilograms] unless otherwise posted and on all other highways the gross
7 weight may not exceed eighty thousand pounds [36287.39 kilograms] unless
8 designated by local authorities for highways under their jurisdiction for gross
9 weights not to exceed one hundred five thousand five hundred pounds [47854.00
10 kilograms]. Local authorities are encouraged to assess all roads under their
11 jurisdiction and designate the roads for the appropriate weight limits allowed under
12 this subsection.

13 3. The gross weight limitations in subsections 1 and 2 do not apply to equipment the
14 director and the state highway patrol approve for exemption. The exemption may
15 not exceed one hundred five thousand five hundred pounds [47854.00 kilograms].
16 For every vehicle approved for exemption the highway patrol shall issue a
17 nontransferable permit valid for one year. The highway patrol may charge an
18 administrative fee for the permit.

19 4. The director, and local authorities, as to the highways under their respective
20 jurisdictions, may issue permits authorizing a specific motor vehicle to exceed the
21 weight limitations stated in subsections 1 and 2 by ten percent. The permits may
22 not provide for a gross weight in excess of one hundred five thousand five hundred
23 pounds [47854.00 kilograms]. The permits must provide only for the movement of
24 agricultural products from the field of harvest to the point of initial storage site, and
25 for the collection and transport of solid wastes, during the period from July fifteenth
26 to December first, and for the general movement of products during the period from
27 December first to March seventh. The appropriate jurisdictional authority shall
28 establish an appropriate fee for the permits and direct how they shall be issued.
29 The highway patrol shall issue the permits authorized by the director.

30 5. The director, and local authorities, as to highways under their respective
31 jurisdictions, may issue permits authorizing all vehicles carrying potatoes or sugar

1 beets to exceed weight limitations stated in subsections 1 and 2 by ten percent
2 during the period from July fifteenth to December first. The permits may not
3 provide for a gross weight in excess of one hundred five thousand five hundred
4 pounds [47854.00 kilograms]. The appropriate jurisdictional authority shall
5 establish an appropriate fee for the permits and direct how they shall be issued.
6 The highway patrol shall issue the permits authorized by the director.

7 6. The gross weight limitations in subsections 1 and 2 do not apply to movement of a
8 an empty self-propelled fertilizer spreader if the ~~vehicle does not travel at speeds in~~
9 ~~excess of thirty miles [48.28 kilometers] per hour when loaded over one half~~
10 ~~capacity and the gross weight of a single axle does not exceed eighty twenty-two~~
11 ~~thousand pounds [38287.39 19979.03 kilograms] and the tire pressure does not~~
12 exceed five hundred fifty pounds [249.48 kilograms] per inch of tire width. The
13 gross weight limitations in subsections 1 and 2 do not apply to movement of a an
14 empty self-propelled agricultural chemical applicator if the ~~vehicle does not travel~~
15 ~~at speeds in excess of thirty miles [48.28 kilometers] per hour when loaded over~~
16 ~~one half capacity and the gross weight of a single axle does not exceed forty five~~
17 twenty-two thousand pounds [20411.66 19979.03 kilograms] and the tire pressure
18 does not exceed five hundred fifty pounds [249.48 kilograms] per inch of tire width.
19 The highway patrol shall issue a seasonal permit for the commercial movement of
20 vehicles exempted by this subsection. The seasonal permit issued under this
21 subsection or under subdivision d of subsection 1 of section 39-12-04 entitles an
22 individual with the permit to operate a vehicle as allowed by either of these
23 provisions. A seasonal permit issued under this subsection is subject to the
24 requirements of subdivision d of subsection 1 of section 39-12-04.

25 **~~(Effective after July 31, 2003) Weight limitations for vehicles on highways other~~**
26 **~~than the interstate system.~~** A person may not operate on a highway, which is not part of the
27 interstate system, any vehicle:

28 1. ~~With a single axle that carries a gross weight in excess of twenty thousand pounds~~
29 ~~[9071.85 kilograms] or a wheel load over ten thousand pounds [4535.92~~
30 ~~kilograms]. A wheel may not carry a gross weight over five hundred fifty pounds~~
31 ~~[249.48 kilograms] for each inch [2.54 centimeters] of tire width. Axles spaced forty~~

1 inches [101.60 centimeters] apart or less are considered as one axle. On axles
2 spaced over forty inches [101.60 centimeters] and under eight feet [2.44 meters]
3 apart, the axle load may not exceed seventeen thousand pounds [7711.07
4 kilograms] per axle, with a maximum of forty eight thousand pounds [21772.32
5 kilograms] gross weight on any grouping of three or more axles. The wheel load,
6 in any instance, may not exceed one half the allowable axle load. Spacing
7 between axles is measured from axle center to axle center.

- 8 2. Subject to the limitations imposed by subsection 1 on tires, wheel, and axle loads,
9 the gross weight of which exceeds that determined by the formula of:

$$W = 500 \frac{(LN + 12N + 36)}{N - 1}$$

12 where W equals the maximum gross weight in pounds on any vehicle or
13 combination of vehicles; L equals distance in feet between the two extreme axles
14 of any vehicle or combination of vehicles; and N equals the number of axles of any
15 vehicle or combination of vehicles under consideration. The gross weight on state
16 highways may not exceed one hundred five thousand five hundred pounds
17 [47854.00 kilograms] unless otherwise posted and on all other highways the gross
18 weight may not exceed eighty thousand pounds [36287.39 kilograms] unless
19 designated by local authorities for highways under their jurisdiction for gross
20 weights not to exceed one hundred five thousand five hundred pounds [47854.00
21 kilograms]. Local authorities are encouraged to assess all roads under their
22 jurisdiction and designate the roads for the appropriate weight limits allowed under
23 this subsection.

- 24 3. The gross weight limitations in subsections 1 and 2 do not apply to equipment the
25 director and the state highway patrol approve for exemption. The exemption may
26 not exceed one hundred five thousand five hundred pounds [47854.00 kilograms].
27 For every vehicle approved for exemption the highway patrol shall issue a
28 nontransferable permit valid for one year. The highway patrol may charge an
29 administrative fee for the permit.

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31 jurisdictions, may issue permits authorizing a specific motor vehicle to exceed the
32 weight limitations stated in subsections 1 and 2 by ten percent. The permits may

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2 ~~pounds [47854.00 kilograms]. The permits must provide only for the movement of~~
3 ~~agricultural products from the field of harvest to the point of initial storage site, and~~
4 ~~for the collection and transport of solid wastes, during the period from July fifteenth~~
5 ~~to December first, and for the general movement of products during the period from~~
6 ~~December first to March seventh. The appropriate jurisdictional authority shall~~
7 ~~establish an appropriate fee for the permits and direct how they shall be issued.~~
8 ~~The highway patrol shall issue the permits authorized by the director.~~
9 5. ~~The director, and local authorities, as to highways under their respective~~
10 ~~jurisdictions, may issue permits authorizing all vehicles carrying potatoes or sugar~~
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