

Introduced by

Representatives Belter, Aarsvold, D. Johnson

Senators Klein, G. Lee

1 A BILL for an Act to create and enact a new section to chapter 39-21 of the North Dakota
2 Century Code, relating to rear-end protection of trucks and trailers; to provide for a legislative
3 council study; and to provide for a contingent effective date.

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

5 **SECTION 1.** A new section to chapter 39-21 of the North Dakota Century Code is
6 created and enacted as follows:

7 **Exemption from rear-end protection requirements.** The superintendent of the
8 highway patrol may not adopt or enforce any law or rule requiring rear-end protection on a
9 rear-end dump truck or other rear unloading truck or trailer while being used for hauling
10 agricultural and other farm products from a place of production or on a farm storage site to a
11 place of processing or storage.

12 **SECTION 2. LEGISLATIVE COUNCIL - EXEMPTION FROM FEDERAL MOTOR**
13 **CARRIER SAFETY REGULATIONS STUDY.** The legislative council shall consider studying,
14 during the 2007-08 interim, federal motor carrier safety regulations and exemptions for
15 interstate and intrastate transportation in relation to this state's laws and exemptions. This
16 study shall include a review of any industry-specific applications of regulations and possible
17 exemptions to current transportation activities within this state. The legislative council shall
18 report its findings and recommendations, together with any legislation required to implement
19 the recommendations, to the sixty-first legislative assembly.

20 **SECTION 3. CONTINGENT EFFECTIVE DATE.** Section 1 of this Act becomes
21 effective on the earlier of October 1, 2008, or on approval of this state's application for
22 exemption from rear-end protection requirements for vehicles in section 1 of this Act by the
23 federal motor carrier safety administration, unless the superintendent of the highway patrol

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Legislative Assembly

- 1 does not complete and submit an application for exemption for vehicles in section 1 of this Act
- 2 by July 1, 2007, then section 1 of this Act becomes effective on August 1, 2007.