

HOUSE BILL NO. 1441

Introduced by

Representatives Delzer, Ruby, Weisz

1 A BILL for an Act to amend and reenact section 39-12-07 of the North Dakota Century Code,
2 relating to enforcement of weight restrictions by the highway patrol.

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

4 **SECTION 1. AMENDMENT.** Section 39-12-07 is amended:

5 **39-12-07. Peace officers may weigh vehicle to determine load - Decreasing gross**
6 **weight of vehicle.** ~~Every police officer, including members of the state highway patrol, having~~
7 If a law enforcement officer has reason to believe that the weight of a vehicle and the load
8 carried thereon on the vehicle is unlawful, the officer may weigh such the vehicle and load or
9 have the same vehicle and load weighed either by means of portable or stationary scales, and
10 ~~for that purpose the.~~ The officer may require the vehicle to be driven to the nearest scales.
11 ~~Such~~ The officer may require the driver of such the vehicle immediately to unload such a
12 portion of the load as may be necessary to decrease the gross weight to the maximum allowed
13 by the provisions of this chapter. For purposes of this section, a law enforcement officer does
14 not include a member of the state highway patrol with respect to a highway that is under the
15 control of local authorities and which is not designated, except for temporary restrictions, for a
16 gross weight of one hundred five thousand five hundred pounds [47854.00 kilograms].