

HOUSE BILL NO. 1121

Introduced by

Transportation Committee

(At the request of the Department of Transportation)

1 A BILL for an Act to create and enact a new section to chapter 24-12 of the North Dakota
2 Century Code, relating to private actions impacting highway facilities or right of way.

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

4 **SECTION 1.** A new section to chapter 24-12 of the North Dakota Century Code is created
5 and enacted as follows:

6 **Impacts to highway facilities - Permission ~~from highway authority~~ required.**

7 ~~Individuals~~ Notwithstanding any other laws to the contrary, a person owning or possessing
8 land adjoining or adjacent to highway facilities and right of way may not take any action
9 affecting or impacting the facility or right of way without proper coordination with and permission
10 from the person or governing body having jurisdiction and control over the facility or right of way.
11 Any action taken without permission which affects or impacts the facility or right of way
12 ~~may~~ must be corrected by the person that owns or possesses the property within twenty days of
13 receiving written notice from the person or governing body having jurisdiction and control over
14 the facility or right of way. If the person that owns or possesses the property fails to correct the
15 issue within the twenty day time period, the person or governing body having jurisdiction and
16 control over the facility or right of way may correct the issue, and the total cost of the correction
17 must be paid by the person ~~responsible~~ that owns or possesses the property.