

HOUSE BILL NO. 1232

Introduced by

Representatives Brandenburg, Kempenich, Pollert

Senators Dotzenrod, Erbele, Wanzek

1 A BILL for an Act to create and enact a new section to chapter 24-06 of the North Dakota
2 Century Code, relating to approval of local road remediation plan.

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

4 **SECTION 1.** A new section to chapter 24-06 of the North Dakota Century Code is created
5 and enacted as follows:

6 **Local road remediation plan required for certain construction projects.**

7 If a contractor for a construction project uses local roads that are not part of a county, state,
8 or interstate road system within the township in which the project is located, and if the
9 contractor does not own real property in the county of the township in which the construction
10 project is located, the contractor shall follow a local road remediation plan created by the board
11 of township supervisors in an organized township or the board of county commissioners in an
12 unorganized township to remedy damage to the local roads caused during the construction. The
13 plan may be agreed to by the contractor and the township or county. If there is no agreement,
14 the township or county may create the plan and the plan must be based on the documented
15 damage to the road and provide for remedy equal to repairing of the road to the condition of the
16 road before the construction project. Construction projects for residential property or on property
17 owned or leased by a farmer or rancher and for the primary benefit of that farmer or rancher are
18 not subject to this section. A contractor that does not make a good-faith effort to follow a plan
19 created under this section is subject to civil damages.