

**HOUSE BILL NO. 1326**

Introduced by

Representatives Seibel, Dockter, B. Koppelman, Laning, Sukut

Senators Casper, Unruh

1 A BILL for an Act to amend and reenact subsection 2 of section 39-06.1-06 and section  
2 39-21-44.1 of the North Dakota Century Code, relating to covering a load in a vehicle and fee  
3 for a violation.

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

5 **SECTION 1. AMENDMENT.** Subsection 2 of section 39-06.1-06 of the North Dakota  
6 Century Code is amended and reenacted as follows:

7 2. For a moving violation as defined in section 39-06.1-09, a fee of twenty dollars, except  
8 for:

- 9 a. A violation of section 39-10-26, 39-10-26.2, 39-10-41, or 39-10-42, a fee of fifty  
10 dollars.
- 11 b. A violation of section 39-10-05 involving failure to yield to a pedestrian or  
12 subsection 1 of section 39-10-28, a fee of fifty dollars.
- 13 c. A violation of section 39-21-41.2, a fee of twenty-five dollars.
- 14 d. A violation of subsection 1 of section 39-12-02 or section 39-08-23, a fee of one  
15 hundred dollars.
- 16 e. A violation of subdivision d of subsection 1 of section 39-12-04, a fee of one  
17 hundred dollars.
- 18 f. A violation of subsection 1 of section 39-04-37 by an individual by becoming a  
19 resident of this state, a fee of one hundred dollars.
- 20 g. A violation of subsection 2 of section 39-10-21.1, a fee of two hundred fifty  
21 dollars.
- 22 h. A violation of section 39-10-59, a fee of one hundred dollars.
- 23 i. A violation of section 39-09-01, a fee of thirty dollars.
- 24 j. A violation of section 39-09-01.1, a fee of thirty dollars.

1 k. A violation of section 39-10-46 or 39-10-46.1, a fee of one hundred dollars.

2 l. A violation of section 39-21-44.1 for not securely covering a load of soil, sand,  
3 rock, rock chips, or gravel, a fee of one hundred dollars.

4 **SECTION 2. AMENDMENT.** Section 39-21-44.1 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **39-21-44.1. Vehicle to be constructed to prevent sifting or leaking loads.**

- 7 1. No vehicle~~An individual~~ may be driven or moved~~not operate a vehicle~~ on any highway  
8 unless it is so the vehicle is constructed or loaded as to prevent its keep the contents  
9 from dropping, sifting, leaking, or otherwise escaping therefrom~~within or on the~~  
10 vehicle, except that sand may be dropped for the purpose of securing traction, ~~or~~ and  
11 water or other substance may be sprinkled on a roadway in cleaning or maintaining  
12 the roadway.
- 13 2. No person~~An individual~~ may not operate on any highway any vehicle with any load  
14 unless the load and any covering ~~thereon~~ on the vehicle is securely fastened so as to  
15 prevent said the covering or load from becoming loose, detached, or in any manner a  
16 hazard to other users of the highway.
- 17 3. An individual may not operate a vehicle with a registered gross weight that exceeds  
18 twenty thousand pounds [9071.84 kilograms] on any highway if the vehicle is used to  
19 haul a load of soil, sand, rocks, rock chips, or gravel without a secure cover that keeps  
20 the load within or on the vehicle, unless the vehicle is owned or operated by the state  
21 or a political subdivision.