

HIGHWAYS, BRIDGES, AND FERRIES

CHAPTER 214

SENATE BILL NO. 2297

(Senators Marcellais, Heckaman, Oehlke)
(Representatives Buffalo, D. Johnson)

AN ACT to create and enact a new section to chapter 24-01 of the North Dakota Century Code, relating to designating state highway 57 as the Akicita (veteran) memorial highway; and to provide a continuing appropriation.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 24-01 of the North Dakota Century Code is created and enacted as follows:

Akicita (veteran) memorial highway - State highway 57 - Continuing appropriation.

The department shall designate state highway 57 from the junction of United States highway 281 and state highway 57 to the junction of state highway 57 and state highway 20 as the Akicita (veteran) memorial highway and shall place signs along the highway designating that name. The department may accept any appropriate signs or funds donated to the department for the placement of signs. Any donated funds are appropriated to the department on a continuing basis for the purpose of providing signs designating state highway 57 as the Akicita (veteran) memorial highway.

Approved March 23, 2021

Filed March 24, 2021

CHAPTER 215

SENATE BILL NO. 2026

(Legislative Management)
(Agriculture and Transportation Committee)

AN ACT to provide for a department of transportation long combination vehicle study and pilot projects; and to provide for a legislative management report.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. DEPARTMENT OF TRANSPORTATION LONG COMBINATION VEHICLE STUDY AND PILOT PROJECTS - REPORT TO LEGISLATIVE MANAGEMENT.

1. During the 2021-22 interim, the department of transportation shall study and conduct pilot projects on the feasibility and impact of long combination vehicle operations on North Dakota roadways. The study must include:
 - a. An assessment of the federal regulations impacting long combination vehicle operations beyond the configurations currently allowed, including configuration combinations allowed in Canada and other jurisdictions;
 - b. An evaluation of the economic impact of permitting long combination vehicle operations in the state;
 - c. An assessment of the impact long combination vehicle operations would have on North Dakota bridges and structures;
 - d. An assessment and evaluation of road networks that are compatible with certain long combination vehicle configurations, or with minor modifications, not exceeding one hundred thirty feet of cargo carrying capacity unless approved by the director of the department of transportation;
 - e. Implementing pilot project safety guidelines that include protocols for traffic safety and inclement weather operations;
 - f. An assessment of the costs associated with implementing long combination vehicle operations; and
 - g. An examination of the size and weight provisions provided under chapter 39-12.
2. If a pilot project includes operating on county, city, or township roads, an agreement with local road authorities must be in place to address traffic safety considerations and costs directly attributed to the pilot project.
3. The director of the department of transportation may waive certain statutory size and weight restrictions for the pilot projects.

4. The department of transportation may continue any pilot project commenced under subsection 1 until the department determines sufficient information has been gathered to determine the pilot project is no longer necessary.
5. Before August 1, 2022, the department of transportation shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the legislative management.

Approved April 23, 2021

Filed April 23, 2021

CHAPTER 216

HOUSE BILL NO. 1101

(Transportation Committee)

(At the request of the Department of Transportation)

AN ACT to amend and reenact section 24-02-02.3 of the North Dakota Century Code, relating to federally funded safety improvement projects on tribal owned highways, streets, roads, and bridges.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 24-02-02.3 of the North Dakota Century Code is amended and reenacted as follows:

24-02-02.3. Director may enter agreements with tribal governments.

Notwithstanding the provisions of chapter 54-40.2, the director may enter agreements with any one or more tribal governments for the purpose of construction and maintenance of highways, streets, roads, and bridges on the state highway system or for federally funded safety improvement projects on tribal owned highways, streets, roads, and bridges.

Approved March 9, 2021

Filed March 10, 2021

CHAPTER 217

SENATE BILL NO. 2111

(Transportation Committee)

(At the request of the Department of Transportation)

AN ACT to create and enact section 24-02-45.2 of the North Dakota Century Code, relating to leasing of radio tower space; and to provide a continuing appropriation.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. Section 24-02-45.2 of the North Dakota Century Code is created and enacted as follows:

24-02-45.2. Lease agreements with public and private entities for radio tower space - Continuing appropriation.

Notwithstanding any other provision of law, the director may lease space on the forty-five department-owned radio tower locations in existence on December 31, 2020, to private entities, if the private entities have been unable to secure space on an existing tower that would provide comparable service coverage. The director shall ensure market rates are charged for a lease entered with a private entity after June 30, 2021. Funds received by the department pursuant to this section must be deposited in the state highway fund as prescribed by section 24-02-41 and are appropriated to the department on a continuing basis.

Approved March 22, 2021

Filed March 23, 2021

CHAPTER 218

SENATE BILL NO. 2110

(Transportation Committee)
(At the request of the Department of Transportation)

AN ACT to create and enact a new subdivision to subsection 2 of section 12-60-24 and section 24-02-50 of the North Dakota Century Code, relating to criminal history background checks by the department of transportation.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

¹⁴⁷ **SECTION 1.** A new subdivision to subsection 2 of section 12-60-24 of the North Dakota Century Code is created and enacted as follows:

The department of transportation for volunteers and final applicants for employment, as determined by the director of the department of transportation.

SECTION 2. Section 24-02-50 of the North Dakota Century Code is created and enacted as follows:

24-02-50. Criminal record history checks.

The director of the department of transportation may require volunteers and final applicants for employment to submit to a statewide and nationwide criminal history record check. The nationwide criminal history record check must be conducted in the manner provided by section 12-60-24.

Approved April 12, 2021

Filed April 13, 2021

¹⁴⁷ Section 12-60-24 was also amended by section 1 of House Bill No. 1073, chapter 98, section 2 of House Bill No. 1073, chapter 98, section 18 of House Bill No. 1247, chapter 352 section 1 of House Bill No. 1253, chapter 164, section 1 of Senate Bill No. 2062, chapter 452, section 1 of Senate Bill No. 2131, chapter 378, section 1 of Senate Bill No. 2174, chapter 447, section 1 of Senate Bill No. 2187, chapter 323, section 1 of Senate Bill No. 2338, chapter 379.

CHAPTER 219

SENATE BILL NO. 2260

(Senators Patten, Bekkedahl)

AN ACT to amend and reenact subsection 5 of section 24-05-01 of the North Dakota Century Code, relating to the county road and bridge fund.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subsection 5 of section 24-05-01 of the North Dakota Century Code is amended and reenacted as follows:

5. The county treasurer shall retain and deposit in a fund known as the county road and bridge fund the county share of the tax under this section and any proceeds of this tax totaling less than twenty dollars in a taxable year which is collected on account of property situated within any city. Proceeds of the county share of the tax under this section must be expended in the improvement of highways as provided in this chapter under the direction of the board of county commissioners. The provisions of this section in regard to allocation apply to the proceeds of any tax originally levied for other purposes if appropriated or transferred to the county road and bridge fund or for expenditure for road and bridge purposes. ~~No allocation pursuant to this section may include the proceeds received by the county as its share of the allocation made pursuant to section 54-27-19, nor may any allocation under this section include moneys received from the state as the result of any other intergovernmental transfer.~~

~~Any unobligated balance in the county special road fund and reserve road and bridge farm to market and federal aid roads fund and county road fund on or after August 1, 2015, must be transferred to the county road and bridge fund, and the county special road farm to market and federal aid roads fund and reserve road and bridge county road fund must be closed out.~~

Approved March 17, 2021

Filed March 18, 2021