

**Testimony HB 1181**  
**Senate Transportation Committee**  
**January 20, 2023**

Mr. Chairman and members of the Senate Transportation committee, my name is Steve Farden. My wife and I own and operate Farden Construction in Maxbass, North Dakota. Our Family has been in the trucking business for 105 years. My Grandfather drove an ammunition truck on the front lines during WWI and returned to Maxbass, North Dakota. We are a third-generation family business and look forward to passing it along to a fourth generation at some future point. We offer our support of HB 1181 along with other stakeholders here today.

In peak season, we employ over 100 employees out of a town's population of about 80 people. We are an active contractor in the heavy/highway arena – particularly in the oil patch. We transport a lot of oversized equipment in our business. We believe the changes proposed in HB 1181 will improve the business environment, allow greater efficiency, and improve safety with more transport possibly occurring at night when there is less road traffic.

Because of our state's proximity to Canada, there is a lot of cross-border commerce. Our friends and customers to the north in Saskatchewan allow for 14' width and Alberta is 12' 6" width requirements.

With the coming adoption and implementation of Daylight Savings Time and if this 10-to-12-foot width allowance bill is not passed, we will be greatly hindered, particularly so in the winter months by not being able to leave with certain loads until one hour later in the mornings. This greatly impedes commerce. Modern lights, equipment and road conditions allow this to be safe and not put the traveling public in danger.

We at Farden Construction average around 7 permits per day during the construction season, which equates to moving about 1,400 pieces of equipment around our state. A copy of the North Dakota Highway Patrol E-Permits System Permit Requirement is included with my testimony. As you will see, the various safety requirements already in place allow for the safety of the public and roadways. One of the benefits of passage of this bill is to allow for the movement of heavier loads which are wider during nighttime hours when the roads have cooled to protect our road system.

Mr. Chairman and members of the committee, thank you for the opportunity to testify today. I encourage you to give HB 1181 a Do Pass Recommendation and I will attempt to address any questions the committee may have.

Thanks again.



**North Dakota Highway Patrol**  
Official Permit

**PERMIT #**

Issued By: 888 - w. user

38-06-04-01. NDAC. Liability of permit applicant: 1) The applicant or permittee, as a condition for obtaining an oversize or overweight, or both, permit, shall assume all responsibility for accidents, damage, or injury to any persons or damage to public or private property caused by the movement of any oversize or overweight, or both, vehicle or load covered by the permit while upon public highways of the state. 2) The applicant or permittee agrees to indemnify and hold harmless the North Dakota Department of Transportation, the North Dakota Highway Patrol, their officers, and employees from any and all claims resulting directly or indirectly from the movement of an oversize or overweight, or both, vehicle or load on any public highway of the state of North Dakota.

PERMISSION FOR THIS MOVEMENT IS HEREBY GRANTED subject to compliance with provisions of North Dakota laws of the State of North Dakota and under their terms, conditions and restrictions contained herein, and subject to revocation upon noncompliance.

**The NDHP permit system authorizes movement on state, interstate, and U.S. roadways only. Contact local authorities for travel on local roadways. Speed restrictions listed under the driving directions supersede all other speed requirements.**

**Remarks**

**Requirements:**

1. Require 18" x 18" red flags, front & rear, traffic side of load.
2. No travel, except on interstate roads I-94 and I-29, when the temperature exceeds 90 F.
3. No travel when inclement weather prevails, if visibility is 1/2 mile or less, or highway is slippery.
4. Must display a 12" x 60" 'OVERSIZE LOAD' sign.
5. No travel in hours of darkness. Movement must occur within 1/2 hour prior to Sunrise through 1/2 hour after Sunset.
6. Allow all traffic to pass.
7. No travel on shoulders of road.
8. All vertical clearances are the responsibility of the permittee.
9. Towing vehicle must have 2 mirrors which reflect a rear-view of 200 feet to the driver.
10. For road construction, size and weight restrictions, and travel conditions visit: <https://travel.dot.nd.gov/> or call 511
11. Truck parking and rest areas are not to be used as staging areas for dolling down load.
12. Speed not to exceed 40 MPH on all highways (excluding I-94 & I-29) when the GVW exceeds 120,000 lbs or an axle group is more than 5,000 lbs over legal weight.
13. Steerable axles under trailer must be engaged and steered when entering or exiting interchanges on I-94 or I-29.
14. Permit policies can be found at <https://www.nd.gov/ndhp/motor-carrier-operations/permit-policies>
15. Must display a 12" x 60" 'OVERSIZE LOAD' sign front and rear.
16. Nighttime travel allowed if 10ft wide and 120ft long or less and when properly lighted (Height must be legal)