

PROPOSED AMENDMENTS TO

HOUSE BILL NO. 1614

Introduced by

Representatives Hendrix, D. Johnston

1 A BILL for an Act to create and enact a new section to chapter 39-10 of the North Dakota
2 Century Code, relating to the operation of an automated truck tractor; and to amend and
3 reenact section 39-01-01 of the North Dakota Century Code, relating to the definition of an
4 automated truck tractor.

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

6 **SECTION 1. AMENDMENT.** Section 39-01-01 of the North Dakota Century Code is
7 amended and reenacted as follows:

8 **39-01-01. Definitions.**

9 In this title, unless the context or subject matter otherwise requires:

- 10 1. "Appropriate licensed addiction treatment program" means an addiction treatment
11 program conducted by an addiction facility licensed by the department of health and
12 human services or conducted by a licensed individual specifically trained in addiction
13 treatment.
- 14 2. "Authorized emergency vehicles":
- 15 a. "Class A" authorized emergency vehicles means:
- 16 (1) Vehicles of a governmentally owned fire department.
- 17 (2) Vehicles when operated by or under the control of a police officer having
18 authority to enforce the provisions of this title or by a salaried employee of a
19 municipal police department within the municipality or by a sheriff or deputy
20 sheriff not including special deputy sheriffs, or by the director of the

- 1 department of corrections and rehabilitation and the director's authorized
2 agents who have successfully completed training in the operation of class A
3 authorized emergency vehicles.
- 4 (3) Vehicles clearly identifiable as property of the department of corrections and
5 rehabilitation when operated or under the control of the director of the
6 department of corrections and rehabilitation.
- 7 (4) Ambulances and other vehicles authorized by licensure granted under
8 chapter 23-27.
- 9 (5) Vehicles operated by or under the control of the director, district deputy
10 director, or a district deputy game warden of the game and fish department.
- 11 (6) Vehicles owned or leased by the United States and used for law
12 enforcement purposes.
- 13 (7) Vehicles designated for the use of the adjutant general or assistant adjutant
14 general in cases of emergency.
- 15 (8) Vehicles operated by or under the control of the director of the parks and
16 recreation department.
- 17 (9) Vehicles operated by or under the control of a licensed railroad police officer
18 and used for law enforcement purposes.
- 19 (10) Vehicles operated by or under the control of the state forester.
- 20 (11) Vehicles operated by or under the control of the bureau of criminal
21 investigation and used for law enforcement purposes.
- 22 (12) Vehicles operated by or under the department of health and human services
23 in cases of emergencies.
- 24 (13) Vehicles used or operated by governmental search and rescue personnel
25 while performing emergency operations or duties. As used in this paragraph,
26 "search and rescue" means deployment, coordination, and use of available
27 resources and personnel in locating, relieving the distress, and preserving
28 the life of and removing an individual who is missing, trapped, or lost in the
29 backcountry, remote areas, or waters of the state. The term includes water
30 and dive rescue.

- 1 b. "Class B" authorized emergency vehicles means wreckers and such other
2 emergency vehicles as are authorized by the local authorities.
- 3 c. "Class C" authorized emergency vehicles means:
- 4 (1) Vehicles used by the state division of homeland security or local division of
5 emergency management organizations.
- 6 (2) Vehicles used by volunteer firefighters while performing their assigned
7 disaster and emergency responsibilities.
- 8 (3) Vehicles, other than ambulances, used by emergency medical services
9 personnel.
- 10 (4) Vehicles used by volunteer search and rescue personnel if performing an
11 emergency operation or duty upon the request of a state entity, political
12 subdivision, or volunteer fire department. A volunteer organization may
13 classify a personal vehicle as a class C emergency vehicle if needed to
14 assist in a search and rescue operation in accordance with this paragraph.
15 As used in this paragraph, "search and rescue" means deployment,
16 coordination, and use of available resources and personnel in locating,
17 relieving the distress, and preserving the life of and removing an individual
18 who is missing, trapped, or lost in the backcountry, remote areas, or waters
19 of the state. The term includes water and dive rescue.
- 20 3. "Automated truck tractor" means a truck tractor that is towing a trailer or semitrailer
21 and at least one aspect of a safety critical control function of the truck tractor occurs
22 without direct input from an individual operating the truck tractor.
- 23 4. "Bicycle" means every device propelled solely by human power upon which any
24 person may ride, having two tandem wheels or two parallel wheels and one forward or
25 rearward wheel. The term includes an electric bicycle and a multipassenger bicycle.
- 26 4.5. "Bus" means every motor vehicle designed for carrying more than ten passengers and
27 used for the transportation of persons, and every motor vehicle, other than a taxicab,
28 designed and used for the transportation of persons for compensation. Provided,
29 every motor vehicle designed for carrying not more than fifteen persons and used for a
30 ridesharing arrangement, as defined in section 8-02-07, is not a "bus".

1 ~~5-6.~~ "Business district" means the territory contiguous to a highway when fifty percent or
2 more of the frontage thereon for a distance of three hundred feet [91.44 meters] or
3 more is occupied by buildings in use for business.

4 ~~6-7.~~ "Camping trailer" means a vehicular portable unit mounted on wheels and constructed
5 with collapsible partial side walls that fold for towing by another vehicle and unfold at
6 the campsite to provide temporary living quarters for recreational, camping, or travel
7 use.

8 ~~7-8.~~ "Cancellation" means a license is annulled and terminated because of an error or
9 defect or because the licensee is no longer entitled to the operator's license, but the
10 cancellation of a license is without prejudice and application for a new license may be
11 made at any time after the cancellation.

12 ~~8-9.~~ "Child restraint system" means a specifically designed device, built-in seating system,
13 or belt-positioning booster that meets the federal motor vehicle safety standards and is
14 permanently affixed to a motor vehicle, is affixed to the vehicle by a safety belt or
15 universal attachment system, or is combined with a federally compliant safety belt
16 system.

17 ~~9-10.~~ "Commercial freighting" means the carriage of things other than passengers, for hire,
18 except that such term does not include:
19 a. The carriage of things other than passengers within the limits of the same city;
20 b. Carriage by local dray lines of baggage or goods to or from a railroad station from
21 or to places in such city or in the immediate vicinity thereof, in this state, and not
22 to exceed two miles [3.22 kilometers] from the corporate or recognized limits of
23 said city; or
24 c. Hauling done by farmers for their neighbors in transporting agricultural products
25 to or from market.

26 ~~10-11.~~ "Commercial passenger transportation" means the carriage of passengers for hire,
27 except that the term does not include:
28 a. The carriage of passengers within the limits of a city.
29 b. The carriage by local buslines of passengers to or from a railroad station from or
30 to places within any city or within two miles [3.22 kilometers] of the limits of the
31 city.

1 c. The carriage of passengers under a ridesharing arrangement, as defined in
2 section 8-02-07.

3 ~~41.12.~~ "Commissioner" means the director of the department of transportation of this state,
4 acting directly or through authorized agents as provided by section 24-02-01.3.

5 ~~42.13.~~ "Controlled-access highway" means every highway, street, or roadway in respect to
6 which owners or occupants of abutting lands and other persons have no legal right of
7 access to or from the same except at such points only and in such manner as may be
8 determined by the public authority having jurisdiction over such highway, street, or
9 roadway.

10 ~~43.14.~~ "Conviction" means a final order or judgment or conviction by the North Dakota
11 supreme court, any lower court having jurisdiction, a tribal court, or a court in another
12 state if an appeal is not pending and the time for filing a notice of appeal has elapsed.
13 Subject to the filing of an appeal, the term includes:

- 14 a. An imposed and suspended sentence;
15 b. A deferred imposition of sentence under subsection 4 of section 12.1-32-02; or
16 c. A forfeiture of bail or collateral deposited to secure a defendant's appearance in
17 court and the forfeiture has not been vacated.

18 ~~44.15.~~ "Crosswalk" means that part of a roadway at an intersection included within the
19 connections of the lateral lines of the sidewalks on opposite sides of the highway
20 measured from the curbs, or, in the absence of curbs, from the edges of the
21 traversable roadway; or any portion of a roadway at an intersection or elsewhere
22 distinctly indicated for pedestrian crossing by lines or other markings on the surface.

23 ~~45.16.~~ "Dealer" means every person, partnership, corporation, or limited liability company
24 engaged in the business of buying, selling, or exchanging motor vehicles, or who
25 advertises, or holds out to the public as engaged in the buying, selling, or exchanging
26 of motor vehicles, or who engages in the buying of motor vehicles for resale. Any
27 person, partnership, corporation, limited liability company, or association doing
28 business in several cities or in several locations within a city must be considered a
29 separate dealer in each such location.

30 ~~46.17.~~ "Department" means the department of transportation of this state as provided by
31 section 24-02-01.1.

- 1 ~~17-18.~~ "Director" means the director of the department of transportation of this state as
2 provided by section 24-02-01.3.
- 3 ~~18-19.~~ "Driver" means every person who drives or is in actual physical control of a vehicle.
- 4 ~~19-20.~~ "Electric bicycle" means a bicycle equipped with fully operable pedals, a saddle or
5 seat for the rider, and an electric motor of seven hundred fifty or fewer watts which
6 meets the requirements of one of the following three classes:
- 7 a. A class 1 electric bicycle if the motor provides assistance only when the individual
8 is pedaling and the motor ceases to provide assistance when a speed of twenty
9 miles [32 kilometers] per hour is achieved.
- 10 b. A class 2 electric bicycle if the motor is capable of propelling the bicycle without
11 the individual pedaling and the motor ceases to provide assistance when a speed
12 of twenty miles [32 kilometers] per hour is achieved.
- 13 c. A class 3 electric bicycle if the motor provides assistance only when the individual
14 is pedaling and the motor ceases to provide assistance when a speed of
15 twenty-eight miles [45 kilometers] per hour is achieved.
- 16 ~~20-21.~~ "Electronic communication device" means an electronic device, including a wireless
17 telephone, personal digital assistant, a portable or mobile computer or other device,
18 and video display equipment. The term does not include a global positioning system or
19 navigation system or a device that is physically or electronically integrated into the
20 motor vehicle.
- 21 ~~24-22.~~ "Essential parts" means all integral and body parts of a vehicle of a type required to be
22 registered hereunder, the removal, alteration, or substitution of which would tend to
23 conceal the identity of the vehicle or substantially alter its appearance, model, type, or
24 mode of operation and includes all integral parts and body parts, the removal,
25 alteration, or substitution of which will tend to conceal the identity or substantially alter
26 the appearance of the vehicle.
- 27 ~~22-23.~~ "Explosives" means any chemical compound or mechanical mixture that is commonly
28 used or intended for the purpose of producing an explosion and which contains any
29 oxidizing and combustive units or other ingredients in such proportions, quantities, or
30 packing that an ignition by fire, by friction, by concussion, by percussion, or by
31 detonator of any part of the compound or mixture may cause such a sudden

- 1 generation of highly heated gases that the resultant gaseous pressures are capable of
2 producing destructive effects on contiguous objects or by destroying life or limb.
- 3 ~~23-24.~~ "Farm tractor" includes every motor vehicle designed and used primarily as a farm
4 implement for drawing plows, moving machines, and other implements of husbandry.
- 5 ~~24-25.~~ "Farm trailer" includes those trailers and semitrailers towed by a bona fide resident
6 farmer hauling the farmer's own agricultural, horticultural, dairy, and other farm
7 products if the gross weight, not including the towing vehicle, does not exceed
8 twenty-four thousand pounds [10886.22 kilograms].
- 9 ~~25-26.~~ "Fifth-wheel travel trailer" means a vehicular unit mounted on wheels, designed to
10 provide temporary living quarters for recreational, camping, or travel use, of such size
11 or weight as not to require a special highway movement permit and designed to be
12 towed by a motorized vehicle that contains a towing mechanism that is mounted
13 above or forward of the tow vehicle's rear axle.
- 14 ~~26-27.~~ "Flammable liquid" means any liquid which has a flash point of seventy degrees
15 Fahrenheit [21.11 degrees Celsius], or less, as determined by a tagliabue or
16 equivalent closed-cup test device.
- 17 ~~27-28.~~ "Foreign vehicle" means every motor vehicle which is brought into this state other than
18 in the ordinary course of business by or through a manufacturer or dealer and which
19 has not been registered in this state.
- 20 ~~28-29.~~ "Gross weight" means the weight of a vehicle without load plus the weight of any load
21 thereon.
- 22 ~~29-30.~~ "Guest" means and includes a person who accepts a ride in any vehicle without giving
23 compensation therefor.
- 24 ~~30-31.~~ "Highway" means the entire width between the boundary lines of every way publicly
25 maintained when any part thereof is open to the use of the public for purposes of
26 vehicular travel and of every way privately maintained within a mobile home park,
27 trailer park, or campground containing five or more lots for occupancy by mobile
28 homes, travel trailers, or tents when any part thereof is open for purposes of vehicular
29 travel.

- 1 ~~31.32.~~ "House car" or "motor home" means a motor vehicle which has been reconstructed or
2 manufactured primarily for private use as a temporary or recreational dwelling and
3 having at least four of the following permanently installed systems:
- 4 a. Cooking facilities.
 - 5 b. Icebox or mechanical refrigerator.
 - 6 c. Potable water supply including plumbing and a sink with faucet either
7 self-contained or with connections for an external source, or both.
 - 8 d. Self-contained toilet or a toilet connected to a plumbing system with connection
9 for external water disposal, or both.
 - 10 e. Heating or air-conditioning system, or both, separate from the vehicle engine or
11 the vehicle engine electrical system.
 - 12 f. A 110-115 volt alternating current electrical system separate from the vehicle
13 engine electrical system either with its own power supply or with a connection for
14 an external source, or both, or a liquefied petroleum system and supply.
- 15 ~~32.33.~~ "Implement of husbandry" means every vehicle designed and adapted exclusively for
16 agricultural, horticultural, or livestock raising operations or for lifting or carrying an
17 implement of husbandry and in either case not subject to registration if used upon the
18 highway.
- 19 ~~33.34.~~ "Intersection" means the area embraced within the prolongation or connection of the
20 lateral curb lines, or, if none, then the lateral boundary lines of the roadways of two
21 highways which join one another at, or approximately at, right angles, or the area
22 within which vehicles traveling upon different highways joining at any other angle may
23 come in conflict. Where a highway includes two roadways thirty feet [9.14 meters] or
24 more apart, then every crossing of each roadway of such divided highway by an
25 intersecting highway must be regarded as a separate intersection. In the event such
26 intersecting highway also includes two roadways thirty feet [9.14 meters] or more
27 apart, then every crossing of two roadways of such highways must be regarded as a
28 separate intersection.
- 29 ~~34.35.~~ "Intoxicating liquor" means and includes any beverage containing alcohol.
- 30 ~~35.36.~~ "Judgment" means any judgment which has become final by expiration without appeal
31 of the time within which an appeal might have been perfected, or by final affirmation

1 on appeal, rendered by a court of competent jurisdiction of any state of the United
2 States, upon a claim for relief arising out of ownership, maintenance, or use of any
3 motor vehicle, for damages, including damages for care and loss of services, because
4 of bodily injury to or death of any person, or for damages because of injury to or
5 destruction of property, including the loss of use thereof, or upon a claim for relief on
6 an agreement of settlement for such damages.

7 ~~36-37.~~ "Legal owner" means a person who holds the legal title to a vehicle.

8 ~~37-38.~~ "Licensed health care provider" means doctor of medicine, doctor of osteopathy,
9 doctor of chiropractic, optometrist, psychologist, advanced practice registered nurse,
10 or physician assistant who is licensed, certified, or registered in accordance with laws
11 and regulations in this or another state.

12 ~~38-39.~~ "Lienholder" means a person holding a security interest in a vehicle.

13 ~~39-40.~~ "Local authorities" includes every county, municipal, and other local board or body
14 having authority to adopt local police regulations under the constitution and laws of
15 this state.

16 ~~40-41.~~ "Mail" means to deposit mail properly addressed and with postage prepaid with the
17 United States postal service.

18 ~~41-42.~~ "Manifest injustice" means a specific finding by the court that the imposition of
19 sentence is unreasonably harsh or shocking to the conscience of a reasonable
20 person, with due consideration of the totality of circumstances.

21 ~~42-43.~~ "Manufactured home" means a structure, transportable in one or more sections, that,
22 in the traveling mode, is eight body feet [2.44 meters] or more in width or forty body
23 feet [12.19 meters] or more in length, or, when erected onsite, is three hundred twenty
24 square feet [29.73 square meters] or more, and which is built on a permanent chassis
25 and designed to be used as a dwelling with or without a permanent foundation when
26 connected to the required utilities, and includes the plumbing, heating, air-conditioning,
27 and electrical systems contained therein. The term includes any structure that meets
28 all of the requirements of this subsection except the size requirements and with
29 respect to whether the manufacturer voluntarily files a certification required by the
30 United States secretary of housing and urban development and complies with the
31 standards established under title 42 of the United States Code.

- 1 ~~43.44.~~ "Manufacturer" means any person who manufactures, assembles, or imports and sells
2 new motor vehicles to new motor vehicle dealers for resale in the state; but such term
3 does not include a person who assembles or specially builds interior equipment on a
4 completed vehicle supplied by another manufacturer, distributor, or supplier.
- 5 ~~44.45.~~ "Metal tires" includes all tires the surface of which in contact with the highway is wholly
6 or partly of metal or other hard, nonresilient material except that this provision does
7 not apply to pneumatic tires.
- 8 ~~45.46.~~ "Mobile home" means a structure, either single or multisectional, which is built on a
9 permanent chassis, ordinarily designed for human living quarters, either on a
10 temporary or permanent basis, owned or used as a residence or place of business of
11 the owner or occupant, which is either attached to utility services or is twenty-seven
12 feet [8.23 meters] or more in length.
- 13 ~~46.47.~~ "Modular unit" includes every factory fabricated transportable building unit designed to
14 be incorporated with similar units at a building site into a modular structure to be used
15 for residential, commercial, educational, or industrial purposes.
- 16 ~~47.48.~~ "Motor vehicle" includes every vehicle that is self-propelled, every vehicle that is
17 propelled by electric power obtained from overhead trolley wires, but not operated
18 upon rails, and, for purposes of motor vehicle registration, title registration, and
19 operator's licenses, motorized bicycles. The term does not include a snowmobile as
20 defined in section 39-24-01, an electric bicycle, or a multipassenger bicycle.
- 21 ~~48.49.~~ "Motorcycle" means every motor vehicle having a seat or saddle for the use of the
22 rider and designed to travel on not more than three wheels in contact with the ground,
23 but excluding implements of husbandry. The term does not include an electric bicycle.
- 24 ~~49.50.~~ "Motorized bicycle" means a vehicle equipped with two or three wheels, foot pedals to
25 permit muscular propulsion or footrests for use by the operator, a power source
26 providing up to a maximum of two brake horsepower having a maximum piston or
27 rotor displacement of 3.05 cubic inches [49.98 milliliters] if a combustion engine is
28 used, which will propel the vehicle, unassisted, at a speed not to exceed thirty miles
29 [48.28 kilometers] per hour on a level road surface, and a power drive system that
30 functions directly or automatically only, not requiring clutching or shifting by the
31 operator after the drive system is engaged, and the vehicle may not have a width

1 greater than thirty-two inches [81.28 centimeters]. The term does not include an
2 electric bicycle.

3 ~~50-51.~~ "Motor-powered recreational vehicle" means a motorcycle, unconventional vehicle, or
4 off-highway vehicle as defined in section 39-29-01, or a snowmobile as defined in
5 section 39-24-01. The term does not include an electric bicycle.

6 ~~51-52.~~ "Multipassenger bicycle" means a vehicle that:

- 7 a. Has fully operative pedals for propulsion entirely by human power;
- 8 b. Has at least four wheels and is operated in a manner similar to a bicycle;
- 9 c. Has at least five seats for passengers;
- 10 d. Has been designed to be occupied by a driver and powered either by passengers
11 providing pedal power to the drive train of the vehicle or by a motor capable of
12 propelling the vehicle in the absence of human power;
- 13 e. Is used for commercial purposes;
- 14 f. Is operated by the owner of the vehicle or an employee of the owner of the
15 vehicle;
- 16 g. Is equipped with a steering wheel that gives the driver exclusive control of the
17 direction of the vehicle;
- 18 h. Is equipped with at least one taillamp in accordance with section 39-21-04;
- 19 i. Is equipped with a stop lamp in accordance with subsection 1 of section
20 39-21-19; and
- 21 j. Is equipped with headlamps in accordance with section 39-27-17.1.

22 ~~52-53.~~ "Nonresident" means any person who is not a resident of this state.

23 ~~53-54.~~ "Nonresident's operating privilege" means the privilege conferred upon a nonresident
24 by the laws of this state pertaining to the operation by such person of a motor vehicle,
25 or the use of a vehicle owned by such person, in this state.

26 ~~54-55.~~ "Official traffic-control devices" means all signs, signals, markings, and devices not
27 inconsistent with this title placed or erected by authority of a public body or official
28 having jurisdiction, for the purpose of regulating, warning, or guiding traffic.

29 ~~55-56.~~ "Operator" means every person who drives or is in actual physical control of a motor
30 vehicle upon a highway or who is exercising control over or steering a vehicle being
31 towed by a motor vehicle.

Sixty-ninth
Legislative Assembly

- 1 ~~56-57.~~ "Operator's license", "driver's license", or "license to operate a motor vehicle" means
2 any operator's or driver's license or any other license or permit to operate a motor
3 vehicle issued under, or granted by, the laws of this state, including:
- 4 a. Any temporary license or instruction permit;
 - 5 b. The privilege of any person to drive a motor vehicle whether such person holds a
6 valid license; or
 - 7 c. Any nonresident's operating privilege as defined in this section.
- 8 ~~57-58.~~ "Owner" means a person, other than a lienholder, having the property in or title to a
9 vehicle. The term includes a person entitled to the use and possession of a vehicle
10 subject to a security interest in another person, but excludes a lessee under a lease
11 not intended as security.
- 12 ~~58-59.~~ "Park", when prohibited, means the standing of a vehicle, whether occupied or not,
13 otherwise than temporarily for the purpose of and while actually engaged in loading or
14 unloading.
- 15 ~~59-60.~~ "Passenger motor vehicle" means every motor vehicle designed principally for the
16 transportation of persons and includes vehicles which utilize a truck chassis, but have
17 a seating capacity for four or more passengers.
- 18 ~~60-61.~~ "Pedestrian" means any person afoot.
- 19 ~~61-62.~~ "Person" includes every natural person, firm, copartnership, association, corporation,
20 or limited liability company.
- 21 ~~62-63.~~ "Pneumatic tires" includes all tires inflated with compressed air.
- 22 ~~63-64.~~ "Pole trailer" means every vehicle without motive power designed to be drawn by
23 another vehicle and attached to the towing vehicle by means of a reach, or pole, or by
24 being boomed or otherwise secured to the towing vehicle, and ordinarily used for
25 transporting long or irregularly shaped loads such as poles, pipes, or structural
26 members capable, generally, of sustaining themselves as beams between the
27 supporting connections.
- 28 ~~64-65.~~ "Police officer" means every officer authorized to direct or regulate traffic or to make
29 arrests for violations of traffic regulations.
- 30 ~~65-66.~~ "Primary source identity document" means documentary evidence of an individual's
31 name, date of birth, and legal presence required in chapters 39-06 and 39-06.2 related

1 to the issuance of permits, licenses, and nondriver photo identification cards, and
2 retained in the driver record.

3 ~~66-67.~~ "Private road or driveway" means every way or place in private ownership and used
4 for vehicular travel by the owner and those having express or implied permission from
5 the owner, but not by other persons.

6 ~~67-68.~~ "Proof of financial responsibility" means proof of ability to respond in damages for
7 liability, on account of accidents occurring after the effective date of the proof, arising
8 out of the ownership, maintenance, or use of a motor vehicle, in the amount of
9 twenty-five thousand dollars because of bodily injury to or death of one person in any
10 one accident, and, subject to the limit for one person, in the amount of fifty thousand
11 dollars because of bodily injury to or death of two or more persons in any one
12 accident, and in the amount of twenty-five thousand dollars because of injury to or
13 destruction of property of others in any one accident.

14 ~~68-69.~~ "Railroad" means a carrier of persons or property upon cars, other than streetcars,
15 operated upon stationary rails.

16 ~~69-70.~~ "Railroad sign or signal" means any sign, signal, or device erected by authority of a
17 public body or official or by a railroad and intended to give notice of the presence of
18 railroad tracks or the approach of a railroad train.

19 ~~70-71.~~ "Reconstructed vehicle" means any vehicle, of a type required to be registered,
20 materially altered from its original construction by the removal, addition, or substitution
21 of new or used essential parts.

22 ~~71-72.~~ "Recreational vehicle" means any motorcycle not qualified for registration, off-highway
23 vehicle, snowmobile, vessel, or personal watercraft. The term does not include an
24 electric bicycle.

25 ~~72-73.~~ "Residence district" means territory contiguous to a highway not comprising a
26 business district, when the frontage on such highway for a distance of three hundred
27 feet [91.44 meters] or more is occupied mainly by dwellings, or by dwellings and
28 buildings in use for business.

29 ~~73-74.~~ "Revocation" means that the operator's license is terminated and may not be renewed
30 or restored, except on application for a new license presented to and acted upon by
31 the director after the expiration of the period of revocation.

Sixty-ninth
Legislative Assembly

- 1 ~~74-75.~~ "Right of way" means the privilege of the immediate use of a roadway.
- 2 ~~75-76.~~ "Road tractor" means every motor vehicle designed and used for drawing other
3 vehicles and not so constructed as to carry any load thereon either independently or
4 any part of the weight of a vehicle or load so drawn.
- 5 ~~76-77.~~ "Roadway" means that portion of a highway improved, designed, or ordinarily used for
6 vehicular travel, exclusive of the berm or shoulder. In the event a highway includes two
7 or more separate roadways, the term "roadway" as used herein refers to any such
8 roadway separately but not to all such roadways collectively.
- 9 ~~77-78.~~ "Saddle mount" means placing the front wheels of the drawn vehicle upon the bed of
10 the drawing vehicle.
- 11 ~~78-79.~~ "Safety zone" means the area or space officially set aside within a highway for the
12 exclusive use of pedestrians and which is so plainly marked or indicated by proper
13 signs as to be plainly visible at all times while set aside as a safety zone.
- 14 ~~79-80.~~ "Salvage certificate of title" means a document issued by the department for purposes
15 of proof of ownership of a salvage or destroyed vehicle and not acceptable for motor
16 vehicle registration purposes.
- 17 ~~80-81.~~ "Schoolbus" means a motor vehicle designed or used to carry more than ten
18 passengers in addition to the driver, and is used for the purpose of transporting
19 preprimary, primary, or secondary school students from home to school, from school to
20 home, or to and from school-related events. For the purposes of chapter 39-21,
21 "schoolbus" means any motor vehicle that is owned or leased by a public or
22 governmental agency and used to transport preprimary, primary, or secondary school
23 students to or from school or to or from school-related events, or is privately owned
24 and operated for compensation to transport preprimary, primary, or secondary school
25 students to or from school or to or from school-related events. Schoolbus does not
26 include a bus used as a common carrier.
- 27 ~~81-82.~~ "Semitrailer" includes every vehicle of the trailer type so designed and used in
28 conjunction with a truck or truck tractor that some part of its own weight and that of its
29 own load rests upon or is carried by a truck or truck tractor, except that it does not
30 include a "housetrailer" or "mobile home".

Sixty-ninth
Legislative Assembly

- 1 ~~82-83.~~ "Sidewalk" means that portion of a street between the curb lines, or the lateral lines of
2 a roadway, and the adjacent property lines, intended for use of pedestrians.
- 3 ~~83-84.~~ "Solid tire" includes every tire made of rubber or other resilient material other than a
4 pneumatic tire.
- 5 ~~84-85.~~ "Special mobile equipment" means every vehicle not designed or used primarily for
6 the transportation of persons or property and only incidentally operated or moved over
7 a highway.
- 8 ~~85-86.~~ "Specially constructed vehicle" means any vehicle which was not constructed
9 originally under the distinct name, make, model, or type by a generally recognized
10 manufacturer of vehicles.
- 11 ~~86-87.~~ "Stand" or "standing" means the halting of a vehicle, whether occupied or not,
12 otherwise than temporarily for the purpose of and while actually engaged in receiving
13 or discharging passengers.
- 14 ~~87-88.~~ "State" means a state, territory, or possession of the United States, the District of
15 Columbia, the Commonwealth of Puerto Rico, or a province of the Dominion of
16 Canada.
- 17 ~~88-89.~~ "Stop", when required, means complete cessation from movement.
- 18 ~~89-90.~~ "Stop" or "stopping", when prohibited, means any halting, even momentarily, of a
19 vehicle, whether occupied or not, except when necessary to avoid conflict with other
20 traffic or in compliance with the directions of a police officer or traffic-control sign or
21 signal.
- 22 ~~90-91.~~ "Street" means the entire width between boundary lines of every way publicly
23 maintained when any part thereof is open to the use of the public for purposes of
24 vehicular travel.
- 25 ~~91-92.~~ "Superintendent" means the superintendent of the North Dakota state highway patrol,
26 acting directly or through authorized employees of the superintendent.
- 27 ~~92-93.~~ "Suspension" means that the operator's license is temporarily withdrawn but only
28 during the period of the suspension.
- 29 ~~93-94.~~ "Through highway" means every highway or portion thereof on which vehicular traffic
30 is given preferential right of way, and at the entrances to which vehicular traffic from
31 intersecting highways is required by law to yield right of way to vehicles on such

1 through highway and in obedience to either a stop sign or yield sign, when such signs
2 are erected by law.

3 ~~94.95.~~ "Trackless trolley coach" means every motor vehicle which is propelled by electric
4 power obtained from overhead trolley wires but not operated upon rails.

5 ~~95.96.~~ "Traffic" means pedestrians, ridden or herded animals, vehicles, streetcars, and other
6 conveyances either singly or together while using any highway for purposes of travel.

7 ~~96.97.~~ "Traffic-control signal" means any device, whether manually, electrically, or
8 mechanically operated, by which traffic is alternately directed to stop and to proceed.

9 ~~97.98.~~ "Trailer" includes every vehicle without motive power designed to carry property or
10 passengers wholly on its own structure and to be drawn by a motor vehicle, except
11 that it does not include a "houstrailer" or "mobile home", which terms mean a vehicle
12 as defined in this subsection which is designed and intended for use as living or
13 sleeping quarters for people and which is not used for commercial hauling of
14 passengers.

15 ~~98.99.~~ "Travel trailer" means a vehicular unit mounted on wheels, designed to provide
16 temporary living quarters for recreational, camping, or travel use, and of such size or
17 weight as not to require a special highway movement permit when towed by a
18 motorized vehicle.

19 ~~99.100.~~ "Truck" includes every motor vehicle designed, used, or maintained primarily for
20 transportation of property.

21 ~~100.101.~~ "Truck camper" means a portable unit that is constructed to provide temporary living
22 quarters for recreational, camping, or travel use; consists of a roof, floor, and sides;
23 and is designed to be loaded onto and unloaded from the bed of a pickup truck.

24 ~~101.102.~~ "Truck tractor" includes every motor vehicle designed and used primarily for drawing
25 other vehicles and not so constructed as to carry a load other than a part of the weight
26 of the vehicle and load so drawn.

27 ~~102.103.~~ "Urban district" means the territory contiguous to and including any street which is built
28 up with structures devoted to business, industry, or dwelling houses situated at
29 intervals of less than one hundred feet [30.48 meters] for a distance of a quarter of a
30 mile [402.34 meters] or more.

1 ~~403.104.~~ "Used vehicle" means a motor vehicle which has been sold, bargained, exchanged,
2 given away, or the title to which has been transferred to another, by the person who
3 first acquired it from the manufacturer or importer, dealer, or agent of the manufacturer
4 or importer.

5 ~~404.105.~~ "Vehicle" includes every device in, upon, or by which any person or property may be
6 transported or drawn upon a public highway, except devices moved by human power
7 or used exclusively upon stationary rails or tracks. The term does not include an
8 electric bicycle.

9 **SECTION 2.** A new section to chapter 39-10 of the North Dakota Century Code is created
10 and enacted as follows:

11 **Automated truck tractor operation requirement.**

12 1. An automated truck tractor may not be operated on a highway of this state to transport
13 passengers or goods unless an individual with a valid commercial driver's license is
14 physically present in the automated truck tractor. The individual must be able to
15 monitor the performance of the automated truck tractor and take control of driving the
16 automated truck tractor.

17 2. This section does not apply to an automated truck tractor operated under an individual
18 operations plan approved by the department.

19 3. The department may adopt rules to enforce this section.