

**HOUSE BILL NO. 1245**

Introduced by

Representatives Weisz, Kempenich

Senator Klein

1 A BILL for an Act to amend and reenact sections 39-12-01 and 39-12-03 of the North Dakota  
2 Century Code, relating to weight limitations.

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

4 **SECTION 1. AMENDMENT.** Section 39-12-01 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **39-12-01. State and local authorities may classify highways as to weight and load**  
7 **capacities.** The director, the board of county commissioners, ~~and or other appropriate bodies~~  
8 ~~public entity~~ having control ~~of roads,~~ over a highway may classify ~~public highways and roads~~  
9 ~~under their respective jurisdictions and limitations~~ that highway subject to the authority provided  
10 by law as to the weight and load of vehicles ~~thereon for such respective~~ on that highway in  
11 classifications that must be enforced as provided in under section 39-12-07 and be made in  
12 accordance with section 39-12-03.

13 **SECTION 2. AMENDMENT.** Section 39-12-03 of the North Dakota Century Code is  
14 amended and reenacted as follows:

15 **39-12-03. Director or local authorities may limit use of vehicles on highways.**  
16 ~~Whenever any~~ If a highway will be seriously damaged or destroyed by reason of deterioration,  
17 rain, snow, or other climatic conditions unless the use of vehicles is prohibited or the weight of  
18 ~~the vehicle thereon~~ vehicles is limited, the director ~~or employees authorized by the director~~ by  
19 an order, and local authorities by ordinance or resolution, may prohibit the operation of vehicles  
20 upon ~~such a~~ a highway or may impose restrictions as to the weight of vehicles. ~~The~~ A restriction  
21 as to weight by local authorities must be on a per axle basis. To be effective against a violator,  
22 the director or ~~employees making such order and~~ local authorities ~~enacting any such ordinance~~  
23 ~~or resolution,~~ as appropriate, shall erect or cause to be erected and maintained signs  
24 designating the provisions of the order, ordinance, or resolution. ~~Such~~ The signs must be

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1 erected and maintained at each end of that portion of any highway affected ~~thereby, and such~~  
2 by the order, ordinance, or resolution and the same is not effective until ~~such~~ the signs are  
3 erected and maintained. The operation of trucks or other commercial vehicles or limitations as  
4 to the weight ~~thereof~~ of trucks or other commercial vehicles on designated highways may be  
5 prohibited or limited in the same manner.