

HOUSE BILL NO. 1441

Introduced by

Representatives Delzer, Ruby, Weisz

1 A BILL for an Act to amend and reenact section 39-12-07 of the North Dakota Century Code,
2 relating to enforcement of weight restrictions by the highway patrol.

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

4 **SECTION 1. AMENDMENT.** Section 39-12-07 is amended:

5 **39-12-07. Peace officers may weigh vehicle to determine load - Decreasing gross**
6 **weight of vehicle.** ~~Every police officer, including members of the state highway patrol, having~~
7 If a law enforcement officer has reason to believe that the weight of a vehicle and the load
8 carried thereon on the vehicle is unlawful, the officer may weigh such the vehicle and load or
9 have the same vehicle and load weighed either by means of portable or stationary scales, and
10 for that purpose the. The officer may require the vehicle to be driven to the nearest scales.
11 ~~Such~~ The officer may require the driver of such the vehicle immediately to unload such a
12 portion of the load as may be necessary to decrease the gross weight to the maximum allowed
13 by the provisions of this chapter. For purposes of this section, a law enforcement officer does
14 not include a member of the state highway patrol with respect to a highway that is under the
15 control of local authorities and which is not designated, except for temporary restrictions, for a
16 gross weight of one hundred five thousand five hundred pounds [47854.00 kilograms].