

**SENATE BILL NO. 2312**

Introduced by

Senators Sinner, Laffen

1 A BILL ~~for an Act to create and enact chapter 39-29.3 of the North Dakota Century Code,~~  
2 ~~relating to autocycles; and to provide a penalty for an Act to create and enact sections~~  
3 ~~39-29.2-05, 39-29.2-06, 39-29.2-07, 39-29.2-08, 39-29.2-09, 39-29.2-10, 39-29.2-11,~~  
4 ~~39-29.2-12, 39-29.2-13, 39-29.2-14, 39-29.2-15, 39-29.2-16, 39-29.2-17, 39-29.2-18,~~  
5 ~~39-29.2-19, and 39-29.2-20 of the North Dakota Century Code, relating to unconventional~~  
6 ~~vehicles; to amend and reenact subsection 3 of section 26.1-40-01, subsection 10 of section~~  
7 ~~26.1-41-01, subsection 49 of section 39-01-01, subsection 2 of section 39-29.2-01, and~~  
8 ~~subsection 5 of section 39-29.2-03, and section 39-29.2-04 of the North Dakota Century Code,~~  
9 ~~relating to unconventional vehicles; to provide a penalty; and to declare an emergency.~~

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

11 ~~— **SECTION 1.** Chapter 39-29.3 of the North Dakota Century Code is created and enacted as~~  
12 ~~follows:~~

13 ~~— **39-29.3-01. Definitions.**~~

14 ~~— Unless the context requires otherwise, the definitions in this section apply to the chapter:~~

15 ~~— 1. "Autocycle" means a motor vehicle that is designed to travel on at least three wheels~~  
16 ~~in contact with the ground, has an unladen weight of at least three hundred pounds~~  
17 ~~[136.08 kilograms] but less than eight thousand pounds [3628.7 kilograms], has a~~  
18 ~~permanent upright seat for the driver which is mounted at least six inches~~  
19 ~~[15.24 centimeters] from the ground, has a steering device for front wheel steering~~  
20 ~~control, is capable of speeds in excess of sixty five miles [104.61 kilometers] per hour,~~  
21 ~~complies with equipment listed in chapter 39-21 or 39-27, as appropriate, and has an~~  
22 ~~identification number. The term does not include a motor vehicle that may otherwise~~  
23 ~~be registered under this title.~~

1 ~~2. "Identifying number" means the vehicle identification numbers and letters, if any,~~  
2 ~~assigned by the manufacturer or by the department for the purpose of identifying a~~  
3 ~~vehicle. The term includes any numbers or letters assigned by the manufacturer for~~  
4 ~~the purpose of identifying a part of a vehicle or any number placed on a part of the~~  
5 ~~vehicle, in accordance with this chapter or rules of the department, for the purpose of~~  
6 ~~identifying the vehicle.~~

7 ~~3. "Three-wheel autocycle" means an autocycle that has a steering device and seating~~  
8 ~~that does not require the operator to straddle or sit astride it.~~

9 ~~**39-29.3-02. Traffic laws - Operation of autocycle.**~~

10 ~~An individual operating an autocycle is granted all of the rights and is subject to all of the~~  
11 ~~duties applicable to the driver of any other vehicle under this title, except as to special~~  
12 ~~regulations in this chapter and except as to those provisions of this title that by their nature~~  
13 ~~cannot have any application.~~

14 ~~**39-29.3-03. Operation of autocycle on roadways laned for traffic.**~~

15 ~~1. An autocycle is entitled to full use of a lane on a highway.~~

16 ~~2. An autocycle operator may not overtake and pass in the same lane occupied by a~~  
17 ~~vehicle being overtaken.~~

18 ~~**39-29.3-04. Autocycle operation - Equipment.**~~

19 ~~1. An autocycle operator shall have the autocycle equipped with safety glass or a~~  
20 ~~windshield at all times while operating the vehicle.~~

21 ~~2. a. An operator and any passenger under the age of eighteen shall wear protective~~  
22 ~~helmets, except that an operator and a passenger riding on an autocycle that has~~  
23 ~~a nonremovable roof, a windshield, and an enclosed body are not required to~~  
24 ~~wear protective helmets.~~

25 ~~b. If the operator of an autocycle is required to wear a safety helmet, any passenger~~  
26 ~~must also wear a safety helmet regardless of the passenger's age.~~

27 ~~c. A helmet violation under this subsection has the same penalty as driving a~~  
28 ~~motorcycle without a helmet.~~

29 ~~3. Operators and passengers in an autocycle are required to comply with seatbelt use~~  
30 ~~laws.~~

1 ~~— **39-29.3-05. Certificate of title for autocycle.**~~

2 ~~— The department shall issue a certificate of title for an autocycle in accordance with section~~  
3 ~~39-05-05.~~

4 ~~— **39-29.3-06. Registration of autocycle.**~~

5 ~~— 1. An individual may not operate an autocycle on public roadways unless the vehicle has~~  
6 ~~been registered under this chapter.~~

7 ~~— 2. The department shall design and furnish an application that must be used to register~~  
8 ~~an autocycle. The registration must state the name and address of every owner of the~~  
9 ~~autocycle and must be signed by at least one owner. A copy of the application is~~  
10 ~~evidence of registration for the first thirty days after the date of application.~~

11 ~~— 3. The fee for registration of an autocycle is fifty dollars per year. For a duplicate or~~  
12 ~~replacement registration number or for a registration card that is lost, mutilated, or~~  
13 ~~becomes illegible, the department may charge a fee of not more than five dollars.~~

14 ~~— 4. To renew a registration, the owner of an autocycle shall follow the procedure adopted~~  
15 ~~by the department and pay the registration fee.~~

16 ~~— 5. The department shall issue a plate in the same manner as a plate is issued to a~~  
17 ~~motorcycle.~~

18 ~~— 6. Funds collected from registration must be deposited in the motor vehicle registration~~  
19 ~~fund.~~

20 ~~— **39-29.3-07. Operation of autocycle - Licensed driver.**~~

21 ~~— To operate an autocycle on a highway, the operator must be a licensed driver.~~

22 ~~— **39-29.3-08. Manufacturer's or distributor's certification.**~~

23 ~~— 1. The manufacturer or distributor shall certify that an autocycle is designed and~~  
24 ~~manufactured for use upon public highways and complies with the performance and~~  
25 ~~equipment requirements, and the rules of this chapter.~~

26 ~~— 2. The certificate must be incorporated on the manufacturer's statement of origin upon~~  
27 ~~transfer of vehicle ownership.~~

28 ~~— **39-29.3-09. Frame-chassis - Requirements.**~~

29 ~~— 1. The autocycle frame-chassis, including the suspension components and engine~~  
30 ~~mountings, must be of substantial construction, capable of supporting the combined~~  
31 ~~weight of all vehicle components for which and riders for whom the vehicle is~~

1 ~~designed, and must withstand normal road shocks and operational stresses, without~~  
2 ~~constituting a hazard to the riders or other users of the highway.~~

3 ~~— 2. The wheelbase may not be less than forty inches [101.6 centimeters].~~

4 ~~— **39-29.3-10. Brakes.**~~

5 ~~— 1. Every autocycle must have either a split service brake system or two independently~~  
6 ~~actuated service brake systems, in accordance with rules adopted by the director~~  
7 ~~pursuant to chapter 28-32. Brakes must act on the front and rear wheels.~~

8 ~~— 2. Every autocycle must meet the requirements for brake system effectiveness, fade, and~~  
9 ~~partial systems, as specified in rules adopted by the director under chapter 28-32.~~

10 ~~— 3. All linkages, cables, pivots, and bearings must be free of excess friction, with the front~~  
11 ~~wheel brake cable located and secured so as not to become pinched between the fork~~  
12 ~~and frame members when the wheel is turned completely to the right or left.~~

13 ~~— 4. Brake actuating devices must be in an accessible location, unencumbered by vehicle~~  
14 ~~components, and positioned so that adequate leverage and safe operation is ensured.~~  
15 ~~Service brake system controls and operation requirements must be in accordance with~~  
16 ~~rules adopted by the director pursuant to chapter 28-32. A suitable mechanism must~~  
17 ~~be provided for the purpose of automatically returning the actuating devices to normal~~  
18 ~~position upon release.~~

19 ~~— 5. Autocycle brakes must be capable of being adjusted automatically or manually with~~  
20 ~~means provided to prevent unintentional adjustment.~~

21 ~~— 6. Each three-wheel autocycle must be equipped with an emergency or parking brake of~~  
22 ~~a friction type, with a solely mechanical means to retain engagement.~~

23 ~~— 7. The brake system on an autocycle should be capable of stopping within a distance of~~  
24 ~~thirty feet on a dry, hard, approximately level stretch of highway that is free from loose~~  
25 ~~material at all times and under all conditions, at a speed of twenty miles per hour.~~

26 ~~— **39-29.3-11. Brakes on motor-driven cycle.**~~

27 ~~— The department may require an inspection of the brake on any motor-driven cycle and may~~  
28 ~~disapprove any brake that is not designed or constructed so as to ensure reasonable and~~  
29 ~~reliable performance in actual use.~~

1 ~~39-29.3-12. Tires, wheels, and rims.~~

2 ~~1. Autocycle tires must be of pneumatic design, with a minimum width of two and~~  
3 ~~twenty-five hundredths inches [57.15 millimeters], and must be designed for highway~~  
4 ~~use.~~

5 ~~2. Tires on a three-wheel autocycle must have a load capacity rating at least equal to the~~  
6 ~~respective gross axle weight ratings. Each tire on the front or rear axle of a three-~~  
7 ~~wheel autocycle must have a load capacity rating at least equal to one-half the front or~~  
8 ~~rear axle gross axle weight rating.~~

9 ~~3. Wheel rim diameters may not be less than ten inches [25.4 centimeters] or must~~  
10 ~~comply with title 49, Code of Federal Regulations, part 571, Federal Motor Vehicle~~  
11 ~~Safety Standards, and must comply with applicable state standards, as promulgated~~  
12 ~~by the director.~~

13 ~~39-29.3-13. Steering and suspension systems.~~

14 ~~1. Autocycle steering and suspension systems must be designed and engineered to~~  
15 ~~provide the operator with the means of safely controlling the autocycle's direction~~  
16 ~~under all maneuvers required for normal and safe operation.~~

17 ~~2. On a three-wheel autocycle, the midpoint of the front or rear wheel track distance must~~  
18 ~~be within one inch [2.54 centimeters] of the single front or single rear wheel track when~~  
19 ~~the vehicle is proceeding on a straight course. The vehicle must be equipped with an~~  
20 ~~adjustment feature that will provide proper wheel tracking.~~

21 ~~3. The steering head must be provided with a bearing or similar device that will allow the~~  
22 ~~steering shaft to turn freely in rotational motion only.~~

23 ~~4. An autocycle must meet the following specifications in relationship to front wheel~~  
24 ~~geometry:~~

25 ~~a. Maximum:~~

26 ~~(1) Rake -- Forty five degrees; and~~

27 ~~(2) Trail -- Fourteen inches [35.56 centimeters] positive.~~

28 ~~b. Minimum:~~

29 ~~(1) Rake -- Twenty degrees; and~~

30 ~~(2) Trail -- Two inches [5.08 centimeters] positive.~~

1 ~~5. Manufacturer's specifications must include the specific rake and trail for each~~  
2 ~~autocycle. The terms "rake" and "trail" must be defined by the director by rules~~  
3 ~~adopted pursuant to chapter 28-32.~~

4 ~~6. The steering device must be of sturdy construction, adequate in size to provide proper~~  
5 ~~leverage for steering, and capable of withstanding a minimum force of one hundred~~  
6 ~~pounds [45.36 kilograms] applied to each handgrip, if so equipped, in any direction.~~  
7 ~~Steering device grips may not be located above the shoulder height of the seated~~  
8 ~~operator. The steering device must provide a minimum of eighteen inches~~  
9 ~~[45.72 centimeters] between each grip, after final assembly.~~

10 ~~7. The steering device must be equipped with material and surface patterns to ensure~~  
11 ~~firm, nonslip gripping for the driver.~~

12 ~~8. Every autocycle must be equipped with a suspension system. The suspension system~~  
13 ~~must be effective in reducing road shock and designed for the purpose of maximizing~~  
14 ~~vehicle stability.~~

15 ~~**39-29.3-14. Fuel system:**~~

16 ~~1. All fuel system components, including the tank, pump, tubing, hoses, and clamps must~~  
17 ~~be securely fastened to the autocycle, so as not to interfere with its operation and~~  
18 ~~must be leak proof when the vehicle is in its normal operating attitude.~~

19 ~~2. Fuel lines must be positioned so as to prevent their contact with the engine head,~~  
20 ~~manifold, exhaust system, or other high-temperature surfaces, or with moving~~  
21 ~~components. The fuel system must be adequately vented and provided with a fuel~~  
22 ~~shutoff valve located between the fuel supply and the engine.~~

23 ~~**39-29.3-15. Exhaust system - Prevention of noise:**~~

24 ~~1. Autocycles must be equipped with an exhaust system incorporating a muffler or other~~  
25 ~~mechanical device, for the purpose of effectively reducing engine noise.~~

26 ~~2. Cutouts and bypasses in the exhaust system are prohibited.~~

27 ~~3. The system must be leakproof and all components must be securely attached to the~~  
28 ~~vehicle and located so as not to interfere with the operation of the autocycle.~~

29 ~~4. Shielding must be provided to prevent inadvertent contact with the exhaust system by~~  
30 ~~the operator or passenger during normal operation.~~

1 ~~5. An autocycle operating on streets and highways must meet the noise decibel~~  
2 ~~limitations as established by the environmental protection agency.~~

3 ~~6. A person may not sell, offer for sale, or install any noise suppressing system or device,~~  
4 ~~which will produce noise in excess of the maximum allowable decibel limitations set~~  
5 ~~forth in this section.~~

6 ~~**39-29.3-16. Mirror.**~~

7 ~~Every autocycle must be equipped with two mirrors, securely affixed and capable of~~  
8 ~~adjustment within a range that will reflect an image that includes at least the horizon and the~~  
9 ~~road surface to the rear of the autocycle. A mirror must consist of a minimum reflective surface~~  
10 ~~of ten square inches [64.52 square centimeters]. A mirror may not contain sharp edges or~~  
11 ~~projections capable of producing injury.~~

12 ~~**39-29.3-17. Fenders.**~~

13 ~~Each wheel of an autocycle must be equipped with fenders or otherwise covered by the~~  
14 ~~body configuration. Fenders must be securely mounted and of sufficient size and strength to~~  
15 ~~minimize water or other road surface substances from coming in contact with the vehicle riders,~~  
16 ~~or throwing the road substances unreasonably to the rear of the vehicle. The fender design~~  
17 ~~must be effective in reducing side spray.~~

18 ~~**39-29.3-18. Seat.**~~

19 ~~A seat securely attached to the vehicle must be provided for the use of the operator. The~~  
20 ~~seat may not be less than six inches [15.24 centimeters] above a level road surface when~~  
21 ~~measured to the lowest point on top of the seat cushion with the operator seated in a driving~~  
22 ~~position. The seat adjustment locking device must prevent relative movement of the seat from~~  
23 ~~its selected and secured position under all normal vehicle operating conditions.~~

24 ~~**39-29.3-19. Glazing.**~~

25 ~~When equipped, an autocycle windscreen and windshield must meet the following~~  
26 ~~standards:~~

27 ~~1. The glazing material must comply with the standards promulgated by rule of the~~  
28 ~~director;~~

29 ~~2. The metal support must be of a material that bends rather than fragments under~~  
30 ~~impact; and~~

1 ~~3. Any covering material, other than glazing, must be beaded at the edges to prevent~~  
2 ~~fraying.~~

3 ~~**39-29.3-20. Horn.**~~

4 ~~Every autocycle must be equipped with a horn, in good working order, as described by~~  
5 ~~subsection 1 of section 39-21-36. The horn must operate from a control located on the steering~~  
6 ~~device.~~

7 ~~**39-29.3-21. Speedometer and odometer.**~~

8 ~~Every autocycle must be equipped with a properly operating speedometer and an~~  
9 ~~odometer, calibrated in miles or kilometers per hour respectively, and must be fully illuminated~~  
10 ~~when the headlamp is activated.~~

11 ~~**39-29.3-22. Lighting equipment.**~~

12 ~~1. A autocycle must be equipped with lamps, reflective devices, and associated~~  
13 ~~equipment, as required by and in compliance with standards adopted by rule of the~~  
14 ~~director.~~

15 ~~2. A gearbox indicator light, if provided, must be located within the operator's field of~~  
16 ~~vision.~~

17 ~~3. A headlamp beam indicator light must be located within the operator's field of vision~~  
18 ~~and illuminated automatically when the high beam of the headlamp is actuated.~~

19 ~~4. An autocycle must be equipped with at least one tail lamp, in accordance with section~~  
20 ~~39-21-04.~~

21 ~~5. An autocycle must be equipped with a stop lamp, in accordance with subsection 1 of~~  
22 ~~section 39-21-19.~~

23 ~~6. A autocycle must be equipped with hazard warning signals in accordance with section~~  
24 ~~39-21-19.1.~~

25 ~~**39-29.3-23. Headlamps.**~~

26 ~~1. The headlamp or headlamps on an autocycle must be a multiple-beam type.~~

27 ~~2. The headlamp or headlamps on an autocycle must be of sufficient intensity to reveal a~~  
28 ~~person or a vehicle at a distance of not less than:~~

29 ~~a. One hundred feet [30.48 meters], when the autocycle is operated at any speed~~  
30 ~~less than twenty five miles [40.23 kilometers] per hour;~~

1 ~~\_\_\_\_\_ b. Two hundred feet [60.96 meters], when the autocycle is operated at a speed of~~  
2 ~~twenty-five miles [40.23 kilometers] per hour, but less than thirty-five miles~~  
3 ~~[56.33 kilometers] per hour; and~~

4 ~~\_\_\_\_\_ c. Three hundred feet [91.44 meters], when the autocycle is operated at a speed of~~  
5 ~~thirty-five miles [56.33 kilometers] per hour, or more.~~

6 ~~\_\_\_\_\_ 3. A motor-driven cycle must be equipped with a multiple-beam headlamp that meets the~~  
7 ~~minimum requirements set forth above and may not exceed the limitations set forth in~~  
8 ~~subsection 1 of section 39-21-20 and the lowermost beam must meet the~~  
9 ~~requirements applicable to a lowermost distribution of light as set forth in subsection 2~~  
10 ~~of section 39-21-20.~~

11 ~~\_\_\_\_\_ **39-29.3-24. Passenger seat.**~~

12 ~~\_\_\_\_\_ An autocycle designed to carry more than one person must be equipped with a securely~~  
13 ~~mounted seat for each passenger. The seat must be located to the side or rear of the driver so~~  
14 ~~that the passenger seat does not interfere with the driver's control or operation of the vehicle.~~

15 ~~\_\_\_\_\_ **39-29.3-25. Equipment approval.**~~

16 ~~\_\_\_\_\_ An autocycle lighting device, electrical system, brake component, glazing material, and~~  
17 ~~exhaust system, incorporating a muffler or other mechanical exhaust device, required or~~  
18 ~~optional, must be approved by the department before becoming available for use within the~~  
19 ~~state.~~

20 **SECTION 1. AMENDMENT.** Subsection 3 of section 26.1-40-01 of the North Dakota  
21 Century Code is amended and reenacted as follows:

- 22 3. "Policy" means any automobile policy which includes automobile liability coverage,  
23 uninsured motorist coverage, underinsured motorist coverage, automobile medical  
24 payments coverage, basic or optional excess no-fault benefits, or automobile physical  
25 damage coverage, delivered or issued for delivery in this state, insuring as the named  
26 insured an individual residing in this state, and under which the insured vehicles  
27 designated in the policy are of the following types only:
- 28 a. A motor vehicle of the private passenger ~~or station wagon~~-type that is not used as  
29 a public or livery conveyance, nor rented to others.
  - 30 b. Any four-wheel motor vehicle with a load capacity of one thousand five hundred  
31 pounds [680.39 kilograms] or less which is not used in the occupation,

1 profession, or business of the insured, nor used as a public or livery conveyance,  
2 nor rented to others.

3 c. Any motorcycle as that term is defined in section 39-01-01 that is not used as a  
4 public or livery conveyance, nor rented to others.

5 d. An unconventional vehicle, as that term is defined in subsection 2 of section  
6 39-29.2-01, which is not used as a public or livery conveyance, nor rented to  
7 others.

8 "Policy" does not include any policy that has been in effect less than sixty days at the  
9 time notice of cancellation is mailed or delivered by the insurer unless it is a renewal  
10 policy; any policy issued under the North Dakota assigned risk plan; any policy  
11 insuring more than six motor vehicles; any policy covering the operation of a garage,  
12 automobile sales agency, repair shop, service station, or public parking place; any  
13 policy providing insurance only on an excess basis; or any other contract providing  
14 insurance to a named insured even though the contract may incidentally provide  
15 insurance with respect to such motor vehicles.

16 **SECTION 2. AMENDMENT.** Subsection 10 of section 26.1-41-01 of the North Dakota  
17 Century Code is amended and reenacted as follows:

18 10. "Motor vehicle" means a vehicle having more than three load-bearing wheels, of a kind  
19 required to be registered under the laws of this state relating to motor vehicles,  
20 designed primarily for operation upon the public streets, roads, and highways, and  
21 driven by power other than muscular power, and includes a trailer drawn by or  
22 attached to such a vehicle. The term does not include an unconventional vehicle  
23 defined in subsection 2 of section 39-29.2-01.

24 **SECTION 3. AMENDMENT.** Subsection 49 of section 39-01-01 of the North Dakota  
25 Century Code is amended and reenacted as follows:

26 49. "Motor-powered recreational vehicle" means a motorcycle, unconventional vehicle, or  
27 off-highway vehicle as defined in section 39-29-01, or a snowmobile as defined in  
28 section 39-24-01.

29 **SECTION 4. AMENDMENT.** Subsection 2 of section 39-29.2-01 of the North Dakota  
30 Century Code is amended and reenacted as follows:

1        2. "Unconventional vehicle" means a motor vehicle that is designed to travel on at least  
2        three wheels in contact with the ground, has an unladen weight of at least three  
3        hundred pounds [136.08 kilograms] but less than eight thousand pounds [3628.7  
4        kilograms], has a permanent upright seat ~~or saddle for the driver which is mounted at~~  
5        ~~least twenty-four inches [50.8 centimeters] from the ground~~that does not require the  
6        operator to straddle or sit astride it, has a steering device for front wheel steering  
7        control, is capable of speeds in excess of sixty-five miles [104.61 kilometers] per hour,  
8        complies with equipment listed in chapter 39-21 or 39-27, as appropriate, and has an  
9        identifying number. The term does not include motor vehicles that otherwise may be  
10       registered under this title.

11       **SECTION 5. AMENDMENT.** Subsection 5 of section 39-29.2-03 of the North Dakota  
12       Century Code is amended and reenacted as follows:

13       5. The fee for registration of an unconventional vehicle is fifty dollars per year. For a  
14       duplicate or replacement registration number plate or registration card that is lost,  
15       mutilated, or becomes illegible, the department may charge a fee of not more than five  
16       dollars.

17       **SECTION 6. AMENDMENT.** Section 39-29.2-04 of the North Dakota Century Code is  
18       amended and reenacted as follows:

19       **39-29.2-04. Operation of unconventional vehicle.**

20       To operate an unconventional vehicle on a highway, the operator must be a class D  
21       licensed driver. An operator may operate an unconventional vehicle on any highway ~~except an~~  
22       ~~access-controlled highway.~~

23       **SECTION 7.** Section 39-29.2-05 of the North Dakota Century Code is created and enacted  
24       as follows:

25       **39-29.2-05. Equipment.**

26       1. An unconventional vehicle must be equipped with safety glass or a windshield at all  
27       times while operating the vehicle.

28       2. a. An operator and any passenger under the age of eighteen shall wear protective  
29       helmets, except when the unconventional vehicle has a nonremovable roof, a  
30       windshield, and an enclosed body.

1 b. If the operator of an unconventional vehicle is required to wear a safety helmet,  
2 any passenger must also wear a safety helmet regardless of the passenger's  
3 age.

4 c. A helmet violation under this subsection has the same penalty as driving a  
5 motorcycle without a helmet.

6 3. Operators and passengers in an unconventional vehicle shall comply with seatbelt use  
7 laws.

8 **SECTION 8.** Section 39-29.2-06 of the North Dakota Century Code is created and enacted  
9 as follows:

10 **39-29.2-06. Manufacturer's or distributor's certification.**

11 1. The manufacturer or distributor shall certify that an unconventional vehicle is designed  
12 and manufactured for use upon public highways and complies with the performance,  
13 United States environmental protection agency equipment requirements, and the rules  
14 of this chapter.

15 2. The certificate must be incorporated on the manufacturer's statement of origin upon  
16 transfer of vehicle ownership.

17 **SECTION 9.** Section 39-29.2-07 of the North Dakota Century Code is created and enacted  
18 as follows:

19 **39-29.2-07. Frame - Chassis - Requirements.**

20 1. The unconventional vehicle frame-chassis, including the suspension components and  
21 engine mountings, must be of substantial construction, capable of supporting the  
22 combined weight of all vehicle components including the riders for whom the vehicle is  
23 designed, and must withstand normal road shocks and operational stresses, without  
24 constituting a hazard to the riders or other users of the highway.

25 2. The unconventional vehicle wheelbase may not be less than forty inches [101.6  
26 centimeters].

27 **SECTION 10.** Section 39-29.2-08 of the North Dakota Century Code is created and enacted  
28 as follows:

**39-29.2-08. Brakes.**

1. Every unconventional vehicle must have either a split service brake system or two independently actuated service brake systems, in accordance with rules adopted by the director under chapter 28-32. Brakes must act on the front and rear wheels.
2. Every unconventional vehicle must meet the requirements for brake system effectiveness, fade, and partial systems, as specified in rules adopted by the director under chapter 28-32.
3. If applicable, all linkages, cables, pivots, and bearings must be free of excess friction, with the front wheel brake cable located and secured so as not to become pinched between the fork and frame members when the wheel is turned completely to the right or left.
4. Brake actuating devices must be in an accessible location, unencumbered by vehicle components, and positioned so that adequate leverage and safe operation is ensured. Service brake system controls and operation requirements must be in accordance with rules adopted by the director under chapter 28-32. A suitable mechanism must be provided for the purpose of automatically returning the actuating devices to normal position upon release.
5. Unconventional vehicles brakes must be capable of being adjusted automatically or manually with means provided to prevent unintentional adjustment.
6. An unconventional vehicle must be equipped with an emergency or parking brake of a friction type, with a solely mechanical means to retain engagement.
7. The brake system on an unconventional vehicle should be capable of stopping within a distance of thirty feet [9.14 meters] on a dry, hard, approximately level stretch of highway that is free from loose material at all times and under all conditions, at a speed of twenty miles per hour [32 kilometers per hour].

**SECTION 11.** Section 39-29.2-09 of the North Dakota Century Code is created and enacted as follows:

**39-29.2-09. Tires, wheels, and rims.**

1. Unconventional vehicle tires must be of pneumatic design, with a minimum width of two and twenty-five hundredths inches [57.15 millimeters], and must be designed for highway use.

1        2. Tires on an unconventional vehicle must have a load capacity rating at least equal to  
2        the respective gross axle weight ratings. Each tire on the front or rear axle must have  
3        a load capacity rating at least equal to one-half the front or rear axle gross axle weight  
4        rating.

5        3. Wheel rim diameters may not be less than ten inches [25.4 centimeters] or must  
6        comply with title 49, C.F.R., part 571, federal motor vehicle safety standards, and must  
7        comply with applicable state standards, as adopted by the director.

8        **SECTION 12.** Section 39-29.2-10 of the North Dakota Century Code is created and enacted  
9 as follows:

10        **39-29.2-10. Steering and suspension systems.**

11        1. Unconventional vehicle steering and suspension systems must be designed and  
12        engineered to provide the operator with the means of safely controlling the  
13        unconventional vehicle direction under all maneuvers required for normal and safe  
14        operation.

15        2. On a three-wheel unconventional vehicle, the midpoint of the front or rear wheel track  
16        distance must be within one inch [2.54 centimeters] of the single front or single rear  
17        wheel track when the vehicle is proceeding on a straight course. If applicable, the  
18        vehicle must be equipped with an adjustment feature that will provide proper wheel  
19        tracking.

20        3. The steering head must be provided with a bearing or similar device that will allow the  
21        steering shaft to turn freely in rotational motion only.

22        4. If applicable, an unconventional vehicle must meet the following specifications in  
23        relationship to front wheel geometry:

24        a. Maximum:

25                (1) Rake - Forty-five degrees; and

26                (2) Trail - Fourteen inches [35.56 centimeters] positive.

27        b. Minimum:

28                (1) Rake - Twenty degrees; and

29                (2) Trail - Two inches [5.08 centimeters] positive.

1 5. Manufacturer's specifications must include the specific rake and trail for each  
2 unconventional vehicle. The terms "rake" and "trail" must be defined by the director by  
3 rules adopted under chapter 28-32.

4 6. The steering device must be of sturdy construction, adequate in size to provide proper  
5 leverage for steering, and capable of withstanding a minimum force of one hundred  
6 pounds [45.36 kilograms] applied to each handgrip, if so equipped, in any direction.  
7 Steering device grips may not be located above the shoulder height of the seated  
8 operator. The steering device must provide a minimum of eighteen inches [45.72  
9 centimeters] between each grip, after final assembly.

10 7. The steering device must be equipped with material and surface patterns to ensure  
11 firm, nonslip gripping for the driver.

12 8. Every unconventional vehicle must be equipped with a suspension system. The  
13 suspension system must be effective in reducing road shock and designed for the  
14 purpose of maximizing vehicle stability.

15 **SECTION 13.** Section 39-29.2-11 of the North Dakota Century Code is created and enacted  
16 as follows:

17 **39-29.2-11. Fuel system.**

18 1. All fuel system components, including the tank, pump, tubing, hoses, and clamps must  
19 be securely fastened to the unconventional vehicle, so as not to interfere with its  
20 operation and must be leakproof when the vehicle is in its normal operating attitude.

21 2. Fuel lines must be positioned so as to prevent their contact with the engine head,  
22 manifold, exhaust system, or other high temperature surfaces, or with moving  
23 components. The fuel system must be adequately vented and provided with a fuel  
24 shutoff valve located between the fuel supply and the engine.

25 **SECTION 14.** Section 39-29.2-12 of the North Dakota Century Code is created and enacted  
26 as follows:

27 **39-29.2-12. Exhaust system - Prevention of noise.**

28 1. Unconventional vehicles must be equipped with an exhaust system incorporating a  
29 muffler or other mechanical device, for the purpose of effectively reducing engine  
30 noise.

31 2. Cutouts and bypasses in the exhaust system are prohibited.

1       3. The system must be leakproof and all components must be securely attached to the  
2       vehicle and located so as not to interfere with the operation of the unconventional  
3       vehicle.

4       4. Shielding must be provided to prevent inadvertent contact with the exhaust system by  
5       the operator or passenger during normal operation.

6       5. An unconventional vehicle operating on streets and highways must meet the noise  
7       decibel limitations as established by the United States environmental protection  
8       agency.

9       6. A person may not sell, offer for sale, or install any noise suppressing system or device,  
10       which will produce noise in excess of the maximum allowable decibel limitations set  
11       forth in this section.

12       **SECTION 15.** Section 39-29.2-13 of the North Dakota Century Code is created and enacted  
13 as follows:

14       **39-29.2-13. Mirror.**

15       Every unconventional vehicle must be equipped with two mirrors, securely affixed and  
16       capable of adjustment within a range that will reflect an image that includes at least the horizon  
17       and the road surface to the rear of the unconventional vehicle. A mirror must consist of a  
18       minimum reflective surface of ten square inches [64.52 square centimeters]. A mirror may not  
19       contain sharp edges or projections capable of producing injury.

20       **SECTION 16.** Section 39-29.2-14 of the North Dakota Century Code is created and enacted  
21 as follows:

22       **39-29.2-14. Fenders.**

23       If applicable, each wheel of an unconventional vehicle must be equipped with fenders or  
24       otherwise covered by the body configuration. Fenders must be securely mounted and of  
25       sufficient size and strength to minimize water or other road surface substances from coming in  
26       contact with the vehicle riders or throwing the road substances unreasonably to the rear of the  
27       vehicle. The fender design must be effective in reducing side spray.

28       **SECTION 17.** Section 39-29.2-15 of the North Dakota Century Code is created and enacted  
29 as follows:

**39-29.2-15. Seat.**

1. A seat securely attached to the vehicle must be provided for the use of the operator and be a permanent upright seat that does not require the operator to straddle or sit astride it. The seat adjustment locking device must prevent relative movement of the seat from its selected and secured position under all normal vehicle operating conditions.

2. An unconventional vehicle designed to carry more than one person must be equipped with a securely mounted seat for each passenger. The seat must be located to the side or rear of the driver so that the passenger seat does not interfere with the driver's control or operation of the vehicle.

**SECTION 18.** Section 39-29.2-16 of the North Dakota Century Code is created and enacted as follows:

**39-29.2-16. Glazing.**

An unconventional vehicle windscreen and windshield must meet the following standards:

1. The glazing material must comply with the standards made by rule;

2. The metal support must be of a material that bends rather than fragments under impact; and

3. Any covering material, other than glazing, must be beaded at the edges to prevent fraying.

**SECTION 19.** Section 39-29.2-17 of the North Dakota Century Code is created and enacted as follows:

**39-29.2-17. Horn.**

Every unconventional vehicle must be equipped with a horn, in good working order, as described by subsection 1 of section 39-21-36. The horn must operate from a control located on the steering device.

**SECTION 20.** Section 39-29.2-18 of the North Dakota Century Code is created and enacted as follows:

**39-29.2-18. Speedometer and odometer.**

Every unconventional vehicle must be equipped with a properly operating speedometer and an odometer, calibrated in miles or kilometers per hour respectively, and must be fully illuminated when the headlamp is activated.

1       **SECTION 21.** Section 39-29.2-19 of the North Dakota Century Code is created and enacted  
2 as follows:

3       **39-29.2-19. Lighting equipment.**

- 4       1. An unconventional vehicle must be equipped with lamps, reflective devices, and  
5       associated equipment, as required by and in compliance with standards adopted by  
6       rule of the director.
- 7       2. A gearbox indicator light, if provided, must be located within the operator's field of  
8       vision.
- 9       3. A headlamp beam indicator light must be located within the operator's field of vision  
10       and illuminated automatically when the high beam of the headlamp is actuated.
- 11       4. An unconventional vehicle must be equipped with at least one taillamp, in accordance  
12       with section 39-21-04.
- 13       5. An unconventional vehicle must be equipped with a stop lamp, in accordance with  
14       subsection 1 of section 39-21-19.
- 15       6. An unconventional vehicle must be equipped with hazard warning signals in  
16       accordance with section 39-21-19.1.

17       **SECTION 22.** Section 39-29.2-20 of the North Dakota Century Code is created and enacted  
18 as follows:

19       **39-29.2-20. Headlamps.**

- 20       1. The headlamp or headlamps on an unconventional vehicle must be a multiple-beam  
21       type.
- 22       2. The headlamp or headlamps on an unconventional vehicle must be of sufficient  
23       intensity to reveal an individual or a vehicle at a distance of not less than:
  - 24       a. One hundred feet [30.48 meters], when the unconventional vehicle is operated at  
25       any speed less than twenty-five miles [40.23 kilometers] per hour;
  - 26       b. Two hundred feet [60.96 meters], when the unconventional vehicle is operated at  
27       a speed of twenty-five miles [40.23 kilometers] per hour, but less than thirty-five  
28       miles [56.33 kilometers] per hour; and
  - 29       c. Three hundred feet [91.44 meters], when the unconventional vehicle is operated  
30       at a speed of thirty-five miles [56.33 kilometers] per hour, or more.

1     3. An unconventional vehicle must be equipped with a multiple-beam headlamp that  
2     meets the minimum requirements set forth in this section and may not exceed the  
3     limitations set forth in subsection 1 of section 39-21-20 and the lowermost beam must  
4     meet the requirements applicable to a lowermost distribution of light as set forth in  
5     subsection 2 of section 39-21-20.

6     **SECTION 23. EMERGENCY.** This Act is declared to be an emergency measure.