

Sixty-fifth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1133

Introduced by

Transportation Committee

(At the request of the Department of Transportation)

1 A BILL for an Act to create and enact a new subsection to section 39-06.2-06 of the North
2 Dakota Century Code, relating to the exemption of a class A commercial driver's licenseholder
3 from the hazardous materials endorsement; and to declare an emergency.

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

5 **SECTION 1.** A new subsection to section 39-06.2-06 of the North Dakota Century Code is
6 created and enacted as follows:

7 Pursuant to the limitations imposed by 49 Code of Federal Regulations part 383.3, the
8 holder of a class A commercial driver's license is exempt from the hazardous materials
9 endorsement, if the licenseholder is:

- 10 a. Acting within the scope of the licenseholder's employment, and within the state of
11 domicile, or another state with a hazardous materials enforcement exemption, as
12 an employee of a custom harvester operation, agrichemical business, farm retail
13 outlet and supplier, or livestock feeder; and
14 b. Operating a service vehicle that is transporting diesel in a quantity of one
15 thousand gallons [3785 liters] or less which is clearly marked with "flammable" or
16 "combustible" placard, as appropriate.

17 **SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure.