

**Sixty-ninth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 7, 2025**

HOUSE BILL NO. 1093

(Representatives K. Anderson, Beltz, Brandenburg, Hagert, Headland, Nehring, Schreiber-Beck)
(Senators Clemens, Conley, Lemm, Luick, Thomas)

AN ACT to amend and reenact section 39-06.2-06 of the North Dakota Century Code, relating to commercial driver's licenses; and to declare an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 39-06.2-06 of the North Dakota Century Code is amended and reenacted as follows:

39-06.2-06. Commercial driver's license required.

1. Except when driving under a commercial learner's permit and accompanied by the holder of a commercial driver's license valid for the vehicle being driven, an individual may not drive a commercial motor vehicle on the highways of this state unless the individual holds and is in immediate possession of a commercial driver's license with applicable endorsements valid for the vehicle the individual is driving. This subsection does not apply when the vehicle being driven:
 - a. ~~When the vehicle being driven is~~ a house car or a vehicle towing a travel trailer being used solely for personal rather than commercial purposes.
 - b. ~~When the vehicle being driven constitutes~~ Constitutes emergency or firefighting equipment necessary to the preservation of life or property.
 - c. ~~When the vehicle is~~ being driven for military purposes, subject to any limitations imposed by title 49 CFR, Code of Federal Regulations, part 383.3(c).
 - d. ~~When the vehicle being driven is~~ a covered farm vehicle as defined in this chapter.
2. ~~No person~~ An individual may not drive a commercial motor vehicle on the highways of this state while the ~~person's~~ individual's driving privilege is suspended, revoked, or canceled, while subject to a disqualification.
3. The provisions of this chapter ~~are waived, as do not apply~~ to farm-to-market operations by farmers, but ~~limited~~ only with respect to those operators of a farm vehicle that is:
 - a. Controlled and operated by a farmer.
 - b. Used to transport ~~either~~ agricultural products, including trees; ~~or~~ farm machines; or farm supplies, ~~or both~~, to or from a farm.
 - c. Not used in the operations of a common or contract carrier.
 - d. Used within one hundred fifty miles [241.40 kilometers] of the ~~person's~~ individual's farm.
4. The provisions of this chapter ~~are waived as do not apply~~ to an individual employed by and operating a vehicle at the request of and within a political subdivision, with a population of less than three thousand, during an emergency declared by that political subdivision for the removal of snow and ice. This waiver only applies when the regularly employed driver is unavailable or the employing political subdivision determines ~~that~~ additional assistance is required.

5. Pursuant to the limitations imposed by title 49 CFR, Code of Federal Regulations, part 383.3, the required knowledge and skills tests may be waived and a restricted commercial driver's license issued for a single period of ~~one hundred eighty~~two hundred ten days or two periods of ~~ninety~~one hundred five days within a ~~twelve-month period~~calendar year to employees of agrichemical businesses, custom harvesters, farm retail outlets and suppliers, including retailers and suppliers of trees, and livestock feeders.
6. Pursuant to the limitations imposed by title 49, Code of Federal Regulations, part 383.3, the holder of a class A commercial driver's license is exempt from the hazardous materials endorsement, if the licenseholder is:
 - a. Acting within the scope of the licenseholder's employment, and within the state of domicile, or another state with a hazardous materials enforcement exemption, as an employee of a custom harvester operation, agrichemical business, farm retail outlet and supplier, or livestock feeder; and
 - b. Operating a service vehicle that is transporting diesel in a quantity of one thousand gallons [3785 liters] or less which is clearly marked with "flammable" or "combustible" placard, as appropriate.
7. In accordance with title 49, Code of Federal Regulations, part 384, section 230, the department may not issue a commercial driver's license to an individual who obtains a commercial learner's permit unless the individual complies with title 49, Code of Federal Regulations, part 380, subpart F.

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

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-ninth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1093 and that two-thirds of the members-elect of the House of Representatives voted in favor of said law.

Vote: Yeas 91 Nays 0 Absent 3

Speaker of the House

Chief Clerk of the House

This certifies that two-thirds of the members-elect of the Senate voted in favor of said law.

Vote: Yeas 45 Nays 0 Absent 2

President of the Senate

Secretary of the Senate

Received by the Governor at _____ M. on _____, 2025.

Approved at _____ M. on _____, 2025.

Governor

Filed in this office this _____ day of _____, 2025,
at _____ o'clock _____ M.

Secretary of State