

# PUBLIC UTILITIES

## CHAPTER 378

HOUSE BILL NO. 1428  
(Backes, Bassingthwaite, Herman)

### JURISDICTION OVER GAS DISTRIBUTION SYSTEMS

AN ACT to extend the jurisdiction of the public service commission to include the safety of all gas distribution systems.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. GAS DISTRIBUTION SYSTEMS - PUBLIC SERVICE COMMISSION JURISDICTION.) The public service commission shall have jurisdiction over the design, construction, and operation of all gas distribution facilities in the state of North Dakota, regardless of whether they are owned or operated by a public utility, in order to insure the reasonable safety thereof.

Approved March 14, 1973

## CHAPTER 379

SENATE BILL NO. 2130  
(Committee on Transportation)  
(At the request of the Public Service Commission)

## DEFINITION OF AGRICULTURAL CARRIER

AN ACT to amend and reenact subsection 4 of section 49-18-01 of the North Dakota Century Code, relating to definitions of "agricultural carriers".

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE  
STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Subsection 4 of section 49-18-01 of the 1971 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

4. "Agricultural carrier" shall mean any person, firm, association, or corporation, hauling and transporting for hire, poultry, livestock, and dairy products, from the farm where such products are produced, grown, or further processed, to the market or place where such products or supplies are sold, stored, disposed of, purchased or acquired, and from the market or place where the same are purchased or acquired to the farm where the same are to be used, consumed, or further processed;

Approved March 8, 1973

## CHAPTER 380

HOUSE BILL NO. 1430  
(Dotzenrod, Herman)

## MOTOR CARRIERS OF BUILDINGS

AN ACT to provide that special common motor carriers of buildings shall be exempt from certain requirements of law, that a person holding a contract service permit shall be treated as a holder of a special certificate as a special common motor carrier of buildings; to create and enact a new subsection to section 49-18-01 of the North Dakota Century Code, relating to the definition of a special common motor carrier of buildings; and to amend and reenact section 49-18-06 of the North Dakota Century Code, relating to public policy affecting motor carrier transportation.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE  
STATE OF NORTH DAKOTA:

SECTION 1. SPECIAL COMMON MOTOR CARRIERS OF BUILDINGS SHALL BE EXEMPT FROM CERTAIN REQUIREMENTS.) Special common motor carriers of buildings shall be exempt from the requirements of common motor carriers to file tariffs, annual reports, and proof of cargo insurance, but for all other purposes shall be treated as common motor carriers.

SECTION 2. SPECIAL CERTIFICATE AS A COMMON MOTOR CARRIER OF BUILDINGS.) Any person holding a contract motor carrier service permit issued by the public service commission authorizing the transportation of buildings, sections of buildings, and other bulky objects, prior to the effective date of this Act, shall be treated as a holder of a special certificate as a common motor carrier of buildings and may operate to, from, and within the same territory authorized under the existing permit issued to such person.

SECTION 3.) A new subsection to section 49-18-01 of the North Dakota Century Code is hereby created and enacted to read as follows:

"Special common motor carrier of buildings" shall mean a common motor carrier of property engaged in the transportation of buildings, sections of buildings, and other bulky objects which, because of their nature, require the use of equipment characteristic to the house moving industry.

SECTION 4. AMENDMENT.) Section 49-18-06 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

49-18-06. PUBLIC POLICY AFFECTING MOTOR TRANSPORTATION.) All common motor carriers, special common motor carriers of buildings, contract motor carriers, and agricultural motor carriers are hereby declared to be affected with a public interest and to be subject to regulation as prescribed by this chapter and other applicable provisions of law. Among the purposes to be served are:

1. To relieve the existing and future undue burdens upon the highways arising by reason of the use of such highways by motor vehicles for hire;
2. To protect the safety and welfare of the traveling and shipping public in their use of the highways; and
3. Carefully to preserve, foster, and regulate transportation and to permit coordination of transportation facilities, and to enforce the provisions of this chapter.

Approved March 24, 1973