

2025 HOUSE TRANSPORTATION

HB 1443

2025 HOUSE STANDING COMMITTEE MINUTES

Transportation Committee
Room JW327E, State Capitol

HB 1443
2/7/2025

Relating to special number plates for farm and forestry vehicles and farm and forestry vehicle registration.
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11:06 a.m. Vice Chairman Grueneich opened the hearing.

Members Present: Chairman D. Ruby, Vice Chairman Grueneich, Representatives Christianson, Dressler, Finley-DeVille, Frelich, Hendrix, Kasper, Koppelman, Maki, Morton, Osowski, Schatz

Discussion Topics:

- ND forestry
- Suggested amendment

11:06 a.m. Representative D. Ruby introduced the bill and submitted testimony #36224.

11:09 a.m. Aaron McWilliams testified in favor and submitted testimony #35736.

11:20 a.m. Vice Chairman Grueneich closed the hearing.

Janae Pinks, Committee Clerk

25.0696.02000

Sixty-ninth
Legislative Assembly
of North Dakota

BILL NO.

Introduced by

Representative D. Ruby

1 A BILL for an Act to amend and reenact section 39-04-10.7 and subsection 5 of section
2 39-04-19 of the North Dakota Century Code, relating to special number plates for farm and
3 forestry vehicles and farm and forestry vehicle registration.

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

5 **SECTION 1. AMENDMENT.** Section 39-04-10.7 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **39-04-10.7. Special number plates for farm vehicles and forestry vehicles.**

8 The director shall issue, without an additional charge, upon application and payment of the
9 registration fee, special number plates or validation decals making them distinctly different from
10 other number plates, to any person registering a truck or combination of trucks and trailers as a
11 farm vehicle or forestry vehicle under section 39-04-19. The director shall determine the form
12 and size of the special number plates or validation decals and shall adopt rules governing the
13 issuance of these special number plates or validation decals.

14 **SECTION 2. AMENDMENT.** Subsection 5 of section 39-04-19 of the North Dakota Century
15 Code is amended and reenacted as follows:

16 5. Trucks or combinations of trucks and trailers weighing more than twenty thousand but
17 not more than one hundred five thousand five hundred pounds [more than 9071.84 but
18 not more than 47854.00 kilograms] which are used as farm vehicles or forestry
19 vehicles only, are entitled to registration under the following fee schedule and the
20 provisions of this subsection. ~~Farm vehicles are considered, for the purpose~~

21 a. For purposes of this subsection, as:

22 (1) "Farm vehicles" means trucks or combinations of trucks and trailers
23 ~~weighing more than twenty thousand but not more than one hundred five-~~
24 ~~thousand five hundred pounds [more than 9071.84 but not more than~~

47854.00 kilograms] owned, or leased for at least one year by a bona fide resident farmer who uses the vehicles exclusively for transporting the farmer's own property or other property on a farm work exchange basis with other farmers between farms and the usual local trading places but not in connection with any commercial retail or wholesale business being conducted from those farms, nor otherwise for hire.

(2) "Forestry vehicles" means motor vehicles meeting the requirements of paragraph 1 and used in the business of forestry or a forestry-related business.

b. In addition to the penalty provided in section 39-04-41, any person violating this subsection shall license for the entire license period the farm vehicle at the higher commercial vehicle rate in accordance with the weight carried by the farm vehicle at the time of the violation.

YEARS REGISTERED

	1st, 2nd,	7th and	9th and	11th and
Gross	3rd, 4th, 5th,	8th	10th	Subsequent
Weights	and 6th Years	Years	Years	Years
20,001 - 22,000	\$111	\$97	\$83	\$65
22,001 - 24,000	116	101	86	67
24,001 - 26,000	124	107	90	69
26,001 - 28,000	135	115	96	73
28,001 - 30,000	144	123	102	77
30,001 - 32,000	159	136	113	86
32,001 - 34,000	169	144	119	90
34,001 - 36,000	179	152	125	94
36,001 - 38,000	189	160	131	98
38,001 - 40,000	199	168	137	102
40,001 - 42,000	209	176	143	106
42,001 - 44,000	219	184	149	110
44,001 - 46,000	229	192	155	114
46,001 - 48,000	239	200	161	118

Sixty-ninth
Legislative Assembly

1	48,001 - 50,000	249	208	167	122
2	50,001 - 52,000	269	226	183	136
3	52,001 - 54,000	279	234	189	140
4	54,001 - 56,000	289	242	195	144
5	56,001 - 58,000	299	250	201	148
6	58,001 - 60,000	309	258	207	152
7	60,001 - 62,000	319	266	213	156
8	62,001 - 64,000	329	274	219	160
9	64,001 - 66,000	339	282	225	164
10	66,001 - 68,000	349	290	231	168
11	68,001 - 70,000	359	298	237	172
12	70,001 - 72,000	369	306	243	176
13	72,001 - 74,000	379	314	249	180
14	74,001 - 76,000	389	322	255	184
15	76,001 - 78,000	399	330	261	188
16	78,001 - 80,000	409	338	267	192
17	80,001 - 82,000	419	346	273	196
18	82,001 - 84,000	429	368	316	272
19	84,001 - 86,000	449	385	330	284
20	86,001 - 88,000	469	402	344	296
21	88,001 - 90,000	489	419	358	308
22	90,001 - 92,000	509	436	372	320
23	92,001 - 94,000	529	453	386	332
24	94,001 - 96,000	549	470	400	344
25	96,001 - 98,000	569	487	414	356
26	98,001 - 100,000	589	504	428	368
27	100,001 - 102,000	609	521	442	380
28	102,001 - 104,000	629	538	456	392
29	104,001 - 105,500	649	555	470	404

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In Support of Forestry Plates

Mr. Chairman and members of the committee,

My name is Aaron McWilliams. It's great to be back in a committee room again here in our beautiful capital. This bill addresses the tiny, but growing, forestry industry in our state and the transportation of forestry products under farm plates.

Here's a little background, my wife Sara and I run a full-time custom sawmill in Hillsboro. We bought our first tiny little mill, not much better than a harbor freight version, with the magic covid money that appeared in our account in 2020. With that, we broke into the extremely niche market of axe throwing target boards. We quickly outgrew our tiny mill, sold it and upgraded. In the winter of 2023 we proved that with a big enough coat, hat, gloves and desperation you can in fact make a living at 20 below with a fully manual sawmill. It's terrible,..there are better ways to make a living.

Being determined to never do that again we upgraded our mill to a fully hydraulic commercial mill and last spring we added onto our shop to now have over 5,000 sq ft under cover and mostly out of the wind. I dream of heat, one day....

We now supply over 50 axe throwing venues throughout the country ranging from Washington, Texas, North Carolina and many in between including nearly all venues in North Dakota, South Dakota and Minnesota. We also recycle old cedar utility poles from utility companies and sell the resawn lumber to contractors or homeowners around the region.

Our cottonwood axe board logs come from shelter belts both on the Minnesota and North Dakota side south of Fargo and occasionally around the Grand Forks area. We buy them from a Minnesota based logger, who delivers with a center mount crane using farm plates and delivering within 150 miles of his home.

Currently, our primary log supplier is transporting logs to us under a farm plate in Minnesota, he resides less than 150 miles away from our location. If I was contracted to remove a tree row 1 mile away from me I couldn't, without a CDL, transport the logs to the mill. My Minnesota based log supplier 132 miles away from me would have to drive up and transport them under his Minnesota farmer's plate. That's a little silly. If the farm was just a few miles further, I wouldn't be able to get them at all.

Getting this bill passed allows for greater and easier access for small businesses in North Dakota to get their forestry products to market. I had an opportunity to buy a mile's worth of logs about 90 miles west of me but couldn't find anyone to transport it. They got pushed into a pile and burned. This would have been a year's supply for us and allowed us to grow faster.

My log supplier is in his late 60's, what happens when he can't do it anymore and I can't transport local logs to my mill?

In many states, such as Minnesota, Vermont, Wisconsin, Main, New Hampshire, Michigan and others, forestry products are included under the definition of agricultural commodities thus allowing log trucks to fall under the classification of a farm truck. It exists this way in those states in one of two ways.

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In the case of Minnesota it explicitly states “loggers who harvest and hauls forest products”.

Minnesota Minn. Stat. § 168.002, Subd. 8

and may be used by the owner thereof, either farmer or logger who harvests and hauls forest products only, to transport logs, pulpwood, lumber, chips, railroad ties and other raw and unfinished forest products from the place of production to an intermediate or final assembly point or transfer yard or railhead, which transportation may be continued by another farm truck to a place for final processing or manufacture located within 200 miles of the place of production and all of which is deemed to constitute the first haul of unfinished wood products; provided that the owner and operator of the vehicle transporting planed lumber shall have in immediate possession a statement signed by the producer of the lumber designating the governmental subdivision, section, and township where the lumber was produced and that this haul, indicating the date, is the first haul thereof. The licensed vehicles may also be used by the owner thereof to transport, to and from timber-harvesting areas, equipment and appurtenances incidental to timber harvesting, and gravel and other road-building materials for timber haul roads.

The federal definition of agricultural commodities specifically list forestry as an agricultural commodity. Currently North Dakota does not specifically list forestry in it's definition.

AGRICULTURAL MARKETING ACT OF 1946

SEC. 207. ø7 U.S.C. 1626¿ When used in this title, the term “agricultural products” includes agricultural, horticultural, viticultural, and dairy products, livestock and poultry, bees, forest products, fish and shellfish, and any products thereof, including processed and manufactured products, and any and all products raised or produced on farms and any processed or manufactured product thereof, and the term “State” when used in this chapter 5 shall include the Virgin Islands and Guam.

I've spoken with Agriculture Commissioner Doug Goehring numerous times regarding this issue. His opinion was to tackle the issue from two fronts. The first with a definition bill, and the second with a transportation bill. It's my understanding that Rep. Mike Bletz looked into drafting a bill to add the language into the agricultural definition but was informed that the bill would be “complicated” as the definition existed in multiple areas of the century code. So that bill didn't get drafted, Rep. Ruby was kind enough to take my call and have a bill drafted for the transportation side.

It's a simple bill but I'm a little concerned about the language on page 2 line 2 of the bill where it references “bona fide” farmer.

Under our current definition of “bona fide” farmer those who would use this for forestry products are likely not a traditional farmer as well. By maintaining a requirement to meet the same standards as existing farm plates I'm not sure that we've expanded the opportunities as this bill is intended to do. Unless the phrase in subsection 2 of page 2 line 9 “paragraph 1” is referencing a different section of code and I'm miss understanding the internal reference.

Thank you for your time,

Aaron McWilliams
McStash Mills LLC
(701)430-9004

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In Support of Forestry Plates

If I'm correct, I believe a simple amendment to insert language would clarify the bill.

owned, or leased for at least one year by a bona fide resident farmer or person directly engaged in sourcing unfinished wood products, who uses the vehicles exclusively for transporting the farmer's own property or other property on a farm work exchange basis with other farmers between farms and the usual local trading places but not in connection with any commercial retail or wholesale business being conducted from those farms, nor otherwise for hire.

2025 HOUSE STANDING COMMITTEE MINUTES

Transportation Committee Room JW327E, State Capitol

HB 1443
2/13/2025

Relating to special number plates for farm and forestry vehicles and farm and forestry vehicle registration.

9:13 a.m. Chairman D. Ruby opened the meeting.

Members Present: Chairman D. Ruby, Vice Chairman Grueneich, Representatives Christianson, Dressler, Frelich, Johnston, Kasper, Koppelman, Maki, Morton, Osowski, Schatz
Members Absent: Representatives Finley-DeVille, Hendrix

Discussion Topics:

- CDL carries / exemption
- Bonafide farmers
- Federal regulations / funding

9:13 a.m. Chairman D. Ruby submitted testimony in opposition #37613.

9:27 a.m. Representative Koppelman moved a Do Not Pass.

9:27 a.m. Representative Schatz seconded the motion.

Representatives	Vote
Representative Dan Ruby	Y
Representative Jim Grueneich	Y
Representative Nels Christianson	Y
Representative Ty Dressler	Y
Representative Lisa Finley-DeVille	AB
Representative Kathy Frelich	Y
Representative Jared Hendrix	AB
Representative Daniel Johnston	N
Representative Jim Kasper	Y
Representative Ben Koppelman	Y
Representative Roger A. Maki	Y
Representative Desiree Morton	Y
Representative Doug Osowski	Y
Representative Mike Schatz	Y

9:28 a.m. Motion passed 11-1-2.

9:28 a.m. Representative Schatz will carry the bill.

9:28 a.m. Chairman D. Ruby closed the meeting.

Janae Pinks, Committee Clerk

REPORT OF STANDING COMMITTEE
HB 1443 ([25.0696.02000](#))

Transportation Committee (Rep. D. Ruby, Chairman) recommends **DO NOT PASS** (11 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING). HB 1443 was placed on the Eleventh order on the calendar.

DESIGNATION AS A NORTH DAKOTA COVERED FARM VEHICLE

North Dakota Department of Transportation, Driver License
SFN 60860 (11-2024)



The undersigned designates the following vehicle as a "covered farm vehicle", as defined in Section 32934 of Pub. L. 112-141, Moving Ahead for Progress in the 21st Century Act (MAP-21) and 49 CFR 390.5.

Vehicle

Year	Make	Model	Vehicle Identification Number
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Owner

Name			
Street Address	City	State	ZIP Code

Signature-Owner/Authorized Representative	Print/Type Name
Date	Official Title (if applicable)

NOTE: This designation is effective only when the vehicle is being operated within the scope of Section 32934 of Pub. L. 112-141 and 49 CFR 390.5. **This designation must be carried in the power unit of the vehicle during all covered operations.** Before operating in states other than North Dakota, consult those states to determine whether they will recognize the covered farm vehicle exemptions.

Covered farm vehicles and drivers are exempt from federal regulations regarding:

- Controlled Substances and Alcohol Use and Testing (49 CFR Part 382)
- Commercial Driver License Standards; Requirements and Penalties (49 CFR Part 383)
- Physical Qualifications and Examinations (49 CFR Part 391, Subpart E)
- Hours of Service regulations (49 CFR Part 395)
- Inspection, Repair and Maintenance regulations (49 CFR Part 396)

Covered farm vehicles and drivers must comply with federal regulations and state laws regarding:

- Federal Motor Carrier Safety Regulations; General (49 CFR Part 390)
- Driving of Commercial Motor Vehicles (49 CFR Part 392)
- Parts and Accessories Necessary for Safe Operation (49 CFR Part 393)
- All state motor vehicle size and weight, safety, and operation laws.

A covered farm vehicle is a commercial motor vehicle that:

- Is operated by a farm or ranch owner or operator, or an employee or family member of the farm or ranch owner or operator;
- Is being used to transport to or from a farm or ranch:
 - Agricultural commodities
 - Livestock
 - Machinery or supplies;
- Displays a special license plate or other designation which helps enforcement personnel identify it as a covered farm vehicle; and
- Has a gross vehicle weight of:
 - 26,000 pounds or less and is traveling anywhere in the United States; or
 - 26,001 pounds or greater and traveling anywhere within the State in which it is registered; or
 - when crossing state lines, 26,001 pounds or greater and operated within 150 air miles of the farm or ranch.

A covered farm vehicle does **not** include a vehicle that is operated by a for-hire carrier or a vehicle transporting hazardous materials in a quantity that requires the vehicle to display placards.