

**HOUSE BILL NO. 1229
with Senate Amendments**

Fifty-sixth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1229

Introduced by

Representatives Gorder, Herbel

Senator Tallackson

1 A BILL for an Act to amend and reenact section 39-12-05.3 of the North Dakota Century Code,
2 relating to weight limitations for vehicles on highways that are not in the interstate system.

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

4 **SECTION 1. AMENDMENT.** Section 39-12-05.3 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **39-12-05.3. Weight limitations for vehicles on highways other than the interstate**
7 **system.** A person may not operate on a highway, which is not part of the interstate system,
8 any vehicle:

- 9 1. With a single axle that carries a gross weight in excess of twenty thousand pounds
10 [9071.85 kilograms] or a wheel load over ten thousand pounds [4535.92
11 kilograms]. A wheel may not carry a gross weight over five hundred fifty pounds
12 [249.48 kilograms] for each inch [2.54 centimeters] of tire width. Axles spaced
13 forty inches [101.60 centimeters] apart or less are considered as one axle. On
14 axles spaced over forty inches [101.60 centimeters] and under eight feet [2.44
15 meters] apart, the axle load may not exceed seventeen thousand pounds [7711.07
16 kilograms] per axle, with a maximum of forty-eight thousand pounds [21772.32
17 kilograms] gross weight on any grouping of three or more axles. The wheel load,
18 in any instance, may not exceed one-half the allowable axle load. Spacing
19 between axles is measured from axle center to axle center.
- 20 2. Subject to the limitations imposed by subsection 1 on tires, wheel, and axle loads,
21 the gross weight of which exceeds that determined by the formula of:

$$W = 500 \left(\frac{LN}{N-1} + 12N + 36 \right)$$

1 where W equals the maximum gross weight in pounds on any vehicle or
2 combination of vehicles; L equals distance in feet between the two extreme axles
3 of any vehicle or combination of vehicles; and N equals the number of axles of any
4 vehicle or combination of vehicles under consideration. The gross weight on state
5 highways may not exceed one hundred five thousand five hundred pounds
6 [47854.00 kilograms] unless otherwise posted and on all other highways the gross
7 weight may not exceed eighty thousand pounds [36287.39 kilograms] unless
8 designated by local authorities for highways under their jurisdiction for gross
9 weights not to exceed one hundred five thousand five hundred pounds [47854.00
10 kilograms]. Local authorities are encouraged to assess all roads under their
11 jurisdiction and designate the roads for the appropriate weight limits allowed under
12 this subsection.

13 3. The gross weight limitations in subsections 1 and 2 do not apply to equipment the
14 director and the state highway patrol approve for exemption. The exemption may
15 not exceed one hundred five thousand five hundred pounds [47854.00 kilograms].
16 For every vehicle approved for exemption the highway patrol shall issue a
17 nontransferable permit valid for one year. The highway patrol may charge an
18 administrative fee for the permit.

19 4. The director, and local authorities, as to the highways under their respective
20 jurisdictions, may issue permits authorizing a specific motor vehicle to exceed the
21 weight limitations stated in subsections 1 and 2 by ten percent. The permits may
22 not provide for a gross weight in excess of one hundred five thousand five hundred
23 pounds [47854.00 kilograms]. The permits must provide only for the movement of
24 agricultural products from the field of harvest to the point of initial storage site, and
25 for the collection and transport of solid wastes, during the period from July fifteenth
26 to December first, and for the general movement of products during the period
27 from December first to March seventh. The appropriate jurisdictional authority
28 shall establish an appropriate fee for the permits and direct how they shall be
29 issued. The highway patrol shall issue the permits authorized by the director.

30 5. The director, and local authorities, as to highways under their respective
31 jurisdictions, may issue permits authorizing all vehicles carrying potatoes or sugar

1 beets to exceed weight limitations stated in subsections 1 and 2 by ten percent
2 during the period from July fifteenth to December first. The permits may not
3 provide for a gross weight in excess of one hundred five thousand five hundred
4 pounds [47854.00 kilograms]. The appropriate jurisdictional authority shall
5 establish an appropriate fee for the permits and direct how they shall be issued.
6 The highway patrol shall issue the permits authorized by the director.