

**HOUSE BILL NO. 1468**

Introduced by

Representatives Lundgren, Mueller, Nicholas

Senator Krauter

1 A BILL for an Act to amend and reenact section 39-12-04 of the North Dakota Century Code,  
2 relating to width and length limitations for truck-mounted haystack moving equipment.

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

4 **SECTION 1. AMENDMENT.** Section 39-12-04 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **39-12-04. Width, height, and length limitations on vehicles - Exceptions.** Vehicles  
7 operated on a highway in this state may not exceed the following width, height, or length  
8 limitations:

9 1. A total outside width, including load thereon, of eight feet six inches [2.59 meters].

10 This limitation does not apply to:

11 a. Construction and building contractors' equipment and vehicles used to move  
12 such equipment which does not exceed ten feet [3.05 meters] in width when  
13 being moved by contractors or resident carriers.

14 b. Implements of husbandry being moved by resident farmers, ranchers,  
15 dealers, or manufacturers between sunrise and sunset. Furthermore, the  
16 limitation does not apply to implements of husbandry being moved between  
17 sunset and sunrise by resident farmers, ranchers, dealers, or manufacturers  
18 on public state, county, or township highway systems other than interstate  
19 highway systems.

20 c. Hay in the stack or bale being moved along the extreme right edge of a  
21 roadway between sunrise and sunset by someone other than a commercial  
22 mover.

23 d. Commercial movement of haystacks or hay bales with vehicles designed  
24 specifically for hauling hay, commercial movement of self-propelled fertilizer

1 spreaders and self-propelled agricultural chemical applicators, whether  
2 operating under their own power or being transported by another vehicle, and  
3 the commercial movement of hay grinders, which may be moved on the  
4 highway after obtaining a permit issued by the highway patrol. The highway  
5 patrol shall issue permits that are valid during daylight hours on any day of the  
6 week, or that are valid at all times for the movement of self-propelled fertilizer  
7 spreaders and self-propelled agricultural chemical applicators, to any  
8 commercial entity otherwise qualified under this subdivision. Self-propelled  
9 fertilizer spreaders and self-propelled agricultural chemical applicators  
10 operating under their own power between sunset and sunrise must display  
11 vehicle hazard warning signal lamps as described in subsection 3 of section  
12 39-21-19.1. The permit is in lieu of registration requirements for the permit  
13 period. No permit may be issued, unless proof of financial responsibility in a  
14 minimum of three hundred thousand dollars is filed and the appropriate permit  
15 fee is paid. The permit may also be issued for hauling hay bales with vehicles  
16 or vehicle combinations other than those designed specifically for hauling  
17 haystacks. This permit, however, will not be in lieu of registration  
18 requirements. All permit fees must be deposited in the state highway  
19 distribution fund.

20 e. Truck-mounted haystack moving equipment exceeding fifty-six feet [17.07  
21 meters], provided the equipment does not exceed a width of fourteen feet  
22 [4.27 meters].

23 f. Safety devices that the highway patrol determines are necessary for the safe  
24 and efficient operation of motor vehicles may not be included in the  
25 calculation of width.

26 f. g. Any nonload carrying safety appurtenance as determined by the highway  
27 patrol which extends no more than three inches [7.62 centimeters] from each  
28 side of a trailer is excluded from the measurement of trailer width. The width  
29 of a trailer is measured across the sidemost load carrying structures, support  
30 members, and structural fasteners.



- 1                   (2)   Emergency tow trucks towing disabled lawful combinations of vehicles  
2                                   to a nearby repair facility.
- 3                   (3)   Vehicles and equipment owned and operated by the armed forces of  
4                                   the United States or the national guard of this state.
- 5                   (4)   Structural material of telephone, power, and telegraph companies.
- 6                   (5)   Truck-mounted haystack moving equipment, provided ~~such the~~ the  
7                                   equipment does not exceed a length of ~~fifty-six~~ sixty-five feet  
8                                   [~~17.07~~ 19.81 meters].
- 9                   (6)   A truck tractor and semitrailer or truck tractor, semitrailer, and the trailer  
10                                  when operated on the interstate highway system or parts of the federal  
11                                  aid primary system as designated by the director, only when federal law  
12                                  requires the exemption.
- 13                  (7)   Safety and energy conservation devices and any additional length  
14                                  exclusive devices as determined by the highway patrol for the safe and  
15                                  efficient operation of commercial motor vehicles. Length exclusive  
16                                  devices are appurtenances at the front or rear of a commercial motor  
17                                  vehicle semitrailer or trailer, whose function is related to the safe and  
18                                  efficient operation of the semitrailer or trailer.
- 19                  f.    The length of a trailer or semitrailer, including the load thereon, may not  
20                                  exceed fifty-three feet [16.15 meters] except that trailers and semitrailers titled  
21                                  and registered in North Dakota prior to July 1, 1987, and towed vehicles may  
22                                  not exceed a length of sixty feet [18.29 meters].