

Fifty-sixth
Legislative Assembly
of North Dakota

ENGROSSED 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
6 the week, or that are valid at all times for the movement of self-propelled
7 fertilizer 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 or load does not exceed a width of fourteen
22 feet [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 ~~g.~~ h. The highway patrol may adopt reasonable rules for those vehicles exempted
2 from the width limitations as provided for in this subsection.
- 3 2. a. A height of fourteen feet [4.27 meters], whether loaded or unloaded. This
4 height limitation does not affect any present structure such as bridges and
5 underpasses that are not fourteen feet [4.27 meters] in height.
- 6 b. The limitation in subdivision a does not apply to vehicles that are at most
7 fifteen feet six inches [4.72 meters] high when all of the following apply:
- 8 (1) The vehicle is an implement of husbandry and is being moved by a
9 resident farmer, rancher, dealer, or manufacturer.
- 10 (2) The trip is at most sixty miles [96.56 kilometers].
- 11 (3) The trip is between sunrise and sunset.
- 12 (4) None of the trip is on an interstate highway.
- 13 3. A length limitation as follows:
- 14 a. A single unit vehicle with two or more axles including the load thereon may
15 not exceed a length of fifty feet [15.24 meters].
- 16 b. A combination of two units including the load thereon may not exceed a
17 length of seventy-five feet [22.86 meters].
- 18 c. A combination of three or four units including the load thereon may not
19 exceed a length of seventy-five feet [22.86 meters], subject to any rules
20 adopted by the director that are consistent with public highway safety. The
21 rules do not apply to a three-unit combination consisting of a truck tractor and
22 semitrailer drawing a trailer or semitrailer.
- 23 d. A combination of two, three, or four units including the load thereon may be
24 operated on all four-lane divided highways and those highways in the state
25 designated by the director and local authorities as to the highways under their
26 respective jurisdictions and may not exceed a length of one hundred ten feet
27 [33.53 meters], subject to any rules adopted by the director that are
28 consistent with public highway safety.
- 29 e. Length limitations do not apply to:
- 30 (1) Building moving equipment.

- 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].