

Fifty-ninth  
Legislative Assembly  
of North Dakota

ENGROSSED HOUSE BILL NO. 1370

Introduced by

Representatives Brandenburg, Boe, Headland, Nicholas

Senators Erbele, Warner

1 A BILL for an Act to create and enact a new subsection to section 49-10.1-03 of the North  
2 Dakota Century Code, relating to regulation of railroad fuel surcharges by the public service  
3 commission; and to declare an emergency.

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

5 **SECTION 1.** A new subsection to section 49-10.1-03 of the North Dakota Century  
6 Code is created and enacted as follows:

7 Prohibit the assessment of a railroad fuel surcharge on a shipment of commodities  
8 originating in this state if the surcharge is not assessed in a region, zone, or area  
9 on a per car basis or if the surcharge exceeds on a per car basis the surcharge on  
10 a carload shipment of the commodities originating in the same or similar region,  
11 zone, or area.

12 **SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure.