

**FIRST ENGROSSMENT
with Senate Amendments**

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 section to chapter 49-02 of the North Dakota
2 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 section to chapter 49-02 of the North Dakota Century Code is
6 created and enacted as follows:

7 **Railroad fuel surcharge - Restricted.** A railroad may not assess a fuel surcharge on
8 a shipment of commodities originating in this state if the surcharge exceeds the approximate
9 increased cost of the fuel above what the fuel cost when zero surcharge was last assessed.

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