

February 3, 2017

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1320

Page 1, line 1, replace "section" with "sections"

Page 1, line 1, after "39-12-02" insert "and 39-12-03"

Page 1, line 2, after "vehicles" insert "and local authority to limit use of vehicles on highways"

Page 2, line 3, after the underscored period insert "During frost law restrictions, the department shall utilize the most direct route requested or notify the city, county, or township the request to use state highways is denied."

Page 2, line 9, remove ", unless any person"

Page 2, line 10, remove "requests and agrees to pay additional fees"

Page 2, line 11, after the underscored period insert "If a permit is denied, a person may receive an additional fee or condition from the city, county, or township in exchange for authorization to move an oversized or overweight vehicle on a road under the jurisdiction of the city, county, or township."

Page 3, after line 30, insert:

"SECTION 2. AMENDMENT. Section 39-12-03 of the North Dakota Century Code is amended and reenacted as follows:

39-12-03. Director or local authorities may limit use of vehicles on highways - Exception for inclement weather.

1. Whenever ~~any~~ highway will be seriously damaged or destroyed by reason of deterioration, rain, snow, or other climatic conditions unless the use of vehicles is prohibited or the weight of the vehicle thereon is limited, the director or employees authorized by the director by an order, and local authorities by ordinance or resolution, may prohibit the operation of vehicles upon such highway or may impose weight restrictions ~~as to the weight of~~ vehicles. The director or employees making ~~such~~ the order and local authorities enacting ~~any such~~ the ordinance or resolution shall erect or cause to be erected and maintained signs designating the provisions of the order, ordinance, or resolution. ~~Such~~ The signs must be erected and maintained at each end of ~~that~~ the portion of ~~any~~ highway affected ~~thereby~~, and ~~such~~ the order, ordinance, or resolution is not effective until ~~such~~ the signs are erected and maintained. The operation of trucks or other commercial vehicles or limitations as to the weight ~~thereof~~ of vehicles on designated highways may be prohibited or limited in the same manner.
2. In instances of inclement weather, as determined by the local authorities, changes may be made to existing posted restrictions on a portion of a highway if the local authority:
 - a. Gives public notice of the change in the posted restrictions on any portion of a highway by publishing the inclement weather restriction on the local authority's website and a uniform county permit system or

similar permit system within one hour after the initial determination of inclement weather; and

- b. Within five days of the first date of inclement weather, erects and maintains a sign at each end of the portion of the highway affected by the inclement weather restriction."

Renumber accordingly