

**Sixty-fifth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 3, 2017**

HOUSE BILL NO. 1255
(Representatives D. Ruby, Owens, Weisz)
(Senators Campbell, Laffen)

AN ACT to create and enact a new chapter to title 24 and a new subsection to section 39-12-05.3 of the North Dakota Century Code, relating to the creation of a large truck primary highway network and the permitting of increased vehicle weights.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new chapter to title 24 of the North Dakota Century Code is created and enacted as follows:

Primary network.

The department of transportation shall establish a limited transportation network within this state. The initial network consists of selected highways and the interstate system to serve as the foundation for this system. The department may modify the foundation through a public involvement process established by the department. The foundation for the system consists of:

1. United States highway 83 from the South Dakota border to Minot;
2. United States highway 85 from the South Dakota border to Williston;
3. United States highway 52 from Minot to the Canadian border;
4. United States highway 2 from the Montana border to the Minnesota border;
5. Interstate highway 94 from the Montana border to the Minnesota border, subject to federal approval; and
6. Interstate highway 29 from the South Dakota border to the Canadian border, subject to federal approval.

Process for modification.

1. The department of transportation shall establish a process to adjust the network by adding specific segments of the United States or state highway system. The process must include an advisory committee to provide input to the department in actions taken to adjust the system, taking into consideration the economic needs and benefits, investment and maintenance requirements, and safety.
2. The department shall establish a request mechanism for commercial entities and for individuals who reside in the state to request specific augmentations of the system based on economic need and outcomes.

Advisory committee.

1. The advisory committee must be chaired by the director of the department of transportation or a designee of the director and must consist of a representative appointed by:
 - a. The greater North Dakota chamber;
 - b. The North Dakota association of counties;

- c. The agriculture commissioner;
 - d. The commerce commissioner;
 - e. The superintendent of the highway patrol;
 - f. The North Dakota motor carriers association;
 - g. The North Dakota league of cities; and
 - h. Representatives of short line railroads operating in this state.
2. The committee may be augmented by the department as deemed necessary in consultation with the advisory committee.

Conditional approval for interstate highway system within North Dakota.

The department may include the interstate highway system within the state as part of the primary foundation network if approved through passage of legislation by the Congress of the United States.

Authority to establish truck axle configuration and weight limits associated with the one hundred twenty-nine thousand pound network.

Notwithstanding any other provision of law, the department of transportation, in consultation with the advisory committee, may adopt rules to establish the required axle configurations and weight limit requirements for trucks weighing more than one hundred five thousand five hundred pounds [47854 kilograms] utilizing the network established by this chapter.

Preservation of existing truck weight provisions.

This chapter does not modify or authorize any change to the existing weight limitations for trucks with gross vehicle weight up to one hundred five thousand five hundred pounds [47854 kilograms].

SECTION 2. A new subsection to section 39-12-05.3 of the North Dakota Century Code is created and enacted as follows:

The director may issue a permit for a truck with a gross weight that exceeds one hundred five thousand five hundred pounds [47854.00 kilograms], not to exceed one hundred twenty nine thousand pounds [58513.41 kilograms]. The monthly permit fee is one hundred dollars per month or seven hundred dollars annually. Vehicle weight under this subsection is determined according to the formula under subsection 2 of section 39-12-05.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-fifth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1255.

House Vote: Yeas 92 Nays 0 Absent 2

Senate Vote: Yeas 47 Nays 0 Absent 0

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2017.

Approved at _____ M. on _____, 2017.

Governor

Filed in this office this _____ day of _____, 2017,

at _____ o'clock _____ M.

Secretary of State