



# MOTOR CARRIER DRIVER'S HANDBOOK

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## Table of Contents

Introduction .....	5
Definitions:.....	5
Commercial Motor Vehicle (CMV):.....	5
Covered Farm Vehicles (as defined in 49 CFR 390.5T):.....	6
Section 01: Driver Checklist .....	7
Section 02: Driver Qualifications .....	7
General Requirements of CMV Drivers: .....	7
Physical Qualifications:.....	8
Driver Disqualifications .....	9
Driver Qualification File (DQ File) .....	9
Entry Level Training.....	10
Longer Combination Vehicle Training.....	10
Section 03: Controlled Substances & Alcohol Testing Requirements .....	10
Applicability.....	10
Drug and Alcohol Clearinghouse .....	11
Alcohol Prohibitions .....	11
Controlled Substances Prohibitions .....	12
Controlled Substances and Alcohol Testing Program Requirements .....	12
Checklist .....	12
Section 04: Commercial Driver's License Requirements.....	13
Commercial Driver's License .....	13
Commercial Endorsements .....	13
Commercial Restrictions .....	13
Commercial Learner's Permit .....	14
Entry Level Driver Training .....	14
Farm Exemption .....	14
Medical Self-Certification .....	15
Hazardous Materials Endorsements.....	15
Restricted CDL for Certain Drivers in Farm-Related Service Industries .....	15
Disqualification of Commercial Driver's License .....	16
Section 05: Hours Of Service .....	17
Interstate/Intrastate Drivers .....	17
Electronic Logging Devices (ELDs) .....	17

Record of Duty Status.....	17
Hours of Service Rules .....	19
Property Carrying Vehicles .....	19
Calculation of the 11- and 14-hour rule using the sleeper berth provision. ....	21
Passenger Carrying Vehicles .....	21
Calculation of the 10- and 15-hour rule using the sleeper berth provision. ....	22
Hours of Service Exemptions .....	22
Adverse Driving Conditions: .....	22
Oilfield Operations:.....	22
Short Haul CDL Driver: .....	22
Short Haul Non-CDL Driver:.....	23
Agricultural Operations:.....	23
Covered Farm Vehicle Drivers: .....	23
Intrastate Hours of Service.....	23
Section 06: Vehicle Inspection, Repair and Maintenance .....	24
Pre-trip Inspections.....	25
Driver/Vehicle Inspection Reports (DVIR).....	25
Periodic Inspection .....	25
Covered Farm Vehicles .....	26
Cargo Securement.....	26
Roadside Inspections .....	27
Section 07: Carrier Registration, Vehicle identification, Operating Authority and Insurance .....	28
Carrier Registration.....	28
Vehicle Identification.....	28
Operating Authority.....	28
Unified Carrier Registration (UCR) .....	28
Insurance.....	29
Section 08: Hazardous Materials Transportation .....	29
USDOT Hazardous Materials Registration .....	29
USDOT Hazardous Materials Safety Permit.....	29
Hazardous Materials Communication .....	30
Emergency Response .....	30
Employee Training.....	31

Hazardous Materials Security Plan.....	31
Materials of Trade.....	31
ND Permits .....	32
Section 09: Vehicle Registration and Fuel Tax.....	32
Registration .....	32
Motor Vehicle Branch Offices .....	32
Fuel Licensing (IFTA) .....	33
Free Zone/Reciprocity Agreements .....	33
Roadside Truck Clearance Procedure.....	34
Section 10: Vehicle Size and Weight.....	34
Legal Width.....	34
Legal Height .....	35
Vertical Clearances.....	35
Clearances on State Highways.....	35
Clearance on City Streets.....	36
Legal Length.....	36
Exceptions: .....	37
Legal Weight.....	37
North Dakota Electronic Truck Weight Calculator.....	37
North Dakota Weight Limitations Chart.....	40
Tire Weight Per Inch .....	40
Examples of Metric Tire Conversion .....	41
Tire Size and Dimensional Definitions .....	42
Spring Load Restriction Weight Limit Classifications .....	42
North Dakota Department of Transportation Spring Load Restriction Classifications	43
Section 11: Permits .....	43
Permits available online:.....	43
Non-Divisible Oversize and/or Overweight Vehicles or Load Movements .....	44
Travel Restrictions and Safety Requirements .....	44
Axle Weight Limitations.....	45
Permit Fees .....	50
Annual Over-width Permit.....	51
Annual Over-length Permit .....	51
Interstate Permit Policy.....	51

Seasonal Permit Policy .....	51
Section 12: Highway User Information .....	52
Speed Limit Laws .....	52
Cell Phone Restrictions for Commercial Vehicle Drivers .....	52
Know your Vehicle's "NO ZONES" .....	53
Passing .....	53
Backing Up .....	53
Rear Blind Spots.....	53
Side Blind Spots .....	53
Wide Turns .....	53
Friendly Reminders: .....	53
North Dakota Resources .....	55

## INTRODUCTION

Motor Carrier compliance with State laws and Federal Regulations can be a difficult task. There are many resources available. Although the Code of Federal Regulations provides a uniform platform for interstate commerce, State law requirements can differ between jurisdictions. This guide has been developed to assist carriers and drivers with Federal Regulation compliance, as well as provide guidance on differing allowances and requirements within North Dakota State Law. The resource also provides an informational reference to size, weight, and permitting laws.

ND adopts the Code of Federal Regulations into state law for all interstate and intrastate commerce but does offer a few state exemptions for intrastate commerce. Whenever there is the option for an intrastate exemption, the exemption will be discussed within the applicable section.

Every effort is made to present the information within this resource accurately, but laws and regulations change and evolve. The resource is intended to be a helpful guide to applicable laws and regulations, not a substitute for them. Contact the appropriate agency to get additional clarification on a particular law or regulation.

### Definitions:

#### **Commercial Motor Vehicle (CMV):**

Any self-propelled or towed motor vehicle used on a highway in interstate commerce to transport passengers or property when the vehicle—

- (1) has a gross vehicle weight rating or gross combination weight rating, or gross vehicle weight or gross combination weight, of 4,536 kg (10,001 pounds) or more, whichever is greater; or
- (2) is designed or used to transport more than 8 passengers (including the driver) for compensation; or
- (3) is designed or used to transport more than 15 passengers, including the driver, and is not used to transport passengers for compensation; or
- (4) is used in transporting material found by the Secretary of Transportation to be hazardous under [49 U.S.C. 5103](#) and transported in a quantity requiring placarding under regulations prescribed by the Secretary under [49 CFR](#), subtitle B, chapter I, subchapter C.

North Dakota state law utilizes the same definition for intrastate CMVs, however it excepts vehicles under 26,001 lbs. GVWR/GCWR unless used to transport more than 8 passengers (including the driver) for compensation, more than 15 passengers (including the driver) not for compensation, or a quantity of hazardous materials requiring placarding.

**Covered Farm Vehicles (as defined in 49 CFR 390.5T):**

1. A straight truck or articulated vehicle—
  - (i) Registered in a State with a license plate or other designation issued by the State of registration that allows law enforcement officials to identify it as a farm vehicle;
  - (ii) Operated by the owner or operator of a farm or ranch, or an employee or family member of an owner or operator of a farm or ranch;
  - (iii) Used to transport agricultural commodities, livestock, machinery or supplies to or from a farm or ranch; and
  - (iv) Not used in for-hire motor carrier operations; however, for-hire motor carrier operations do not include the operation of a vehicle meeting the requirements of paragraphs (1)(i) through (iii) of this definition by a tenant pursuant to a crop share farm lease agreement to transport the landlord's portion of the crops under that agreement.
2. Meeting the requirements of paragraphs (1)(i) through (iv) of this definition:
  - (i) With a gross vehicle weight rating or gross combination weight rating, or gross vehicle weight or gross combination weight, whichever is greater, of 26,001 pounds or less may utilize the exemptions in [§ 390.39](#) anywhere in the United States; or
  - (ii) With a gross vehicle weight rating or gross combination weight rating, or gross vehicle weight or gross combination weight, whichever is greater, of more than 26,001 pounds may utilize the exemptions in [§ 390.39](#) anywhere in the State of registration or across State lines within 150 air miles of the farm or ranch with respect to which the vehicle is being operated.

Covered Farm Vehicles are exempted from any requirement relating to commercial driver's licenses, controlled substances and alcohol use and testing (Controlled Substance and Alcohol Testing Programs, only – the prohibition against using drugs and alcohol while operating the vehicle still apply), any requirement in 49 CFR Part 391, Subpart E, Physical Qualifications and Examinations (Medical Examiner's Certificate), any requirement regarding hours of service of drivers, and any requirement in 49 CFR Part 396, Inspection, Repair, and Maintenance. Operators of Covered Farm Vehicles are still required to comply with any requirements in 49 CFR Part 390 (i.e.: DOT Numbers in interstate commerce), 49 CFR Part 392 regarding the operation of vehicles, and 49 CFR Part 393, Parts and Accessories Necessary for Safe Operation, as well as state and local laws regarding size, weight, safety, and operation.

Covered Farm Vehicles do not include vehicles hauling hazardous materials requiring placards.

If a North Dakota farm vehicle used as a Covered Farm Vehicle does not have a North Dakota issued farm plate, SFN 60860 (<https://www.dot.nd.gov/forms/sfn60860.pdf>) may be used to designate the vehicle as a Covered Farm Vehicle.

## **SECTION 01: DRIVER CHECKLIST**

Prior to operating a Commercial Motor Vehicle verify the following:

- Do you have a current valid driver's license for the vehicle being driven?
- Do you have a current medical examiner's certificate?
  - If CDL holder, has it been submitted to Driver License Division?
- Do you have the proper, up to date Record of Duty Status?
- Is there a copy of the vehicle's registration?
- Is there proof of vehicle insurance?
- Do you have Operating Authority, if operating for-hire?
- Is there a copy of your Pipeline and Hazardous Materials Safety Administration Hazardous Materials Registration or another document providing the Registration number, if needed?
- Is there proof of annual periodic inspection?
- Does the carrier have an active USDOT number and appropriate information marked on the side of the vehicle?
- Is the vehicle equipped with the proper safety equipment?
- Is the load properly secured?
- Have you conducted a quality pre-trip inspection?
- Have you obtained any required permits (Trip/Fuel/Oversize/Overweight)?

## **SECTION 02: DRIVER QUALIFICATIONS**

Driver Qualification (DQ) rules set the minimum standards for a driver of a Commercial Motor Vehicle. The rules also establish minimum duties for motor carriers on the qualifications of their drivers. Please refer to the definition of a Commercial Motor Vehicle for interstate and intrastate operations for applicability.

North Dakota adopts 49 CFR Part 391. Within this Part, the following are exceptions from Driver Qualification requirements:

- Farm Custom Operations – transporting machinery, supplies or crops for a custom harvesting operation
- Apiarian Industries - beekeeper engaged in seasonal transportation of bees
- Farm Vehicle Operator – while operating a non-articulated (single unit vehicle) farm vehicle
- Covered Farm Vehicle – exempted from Physical Qualifications and Examinations only (medical card)
- Pipeline Welding Trucks – pickup with GVWR of 15,000 lbs. or less with a welder used for construction or maintenance of pipelines

### **General Requirements of CMV Drivers:**

- Be at least 21 years of age when operating in interstate commerce (18 years of age in intrastate commerce)
- Read and Speak English sufficiently to converse with general public, understand traffic signs, respond to official inquiries and make entries on reports/records.

- Be able to safely operate the Commercial Motor Vehicle thru experience and/or training
- Be physically qualified according to subpart E of Part 391
- Has a valid, and appropriate, driver's license for vehicle operated
- Is not disqualified under Part 391.15
- Has successfully completed a road test or provided a CDL that is accepted as equivalent by the employing motor carrier

### **Physical Qualifications:**

All drivers of Commercial Motor Vehicles, whether operating interstate or intrastate, must be medically qualified by a medical examiner that is listed on the National Registry of Certified Medical Examiners, meet an exception to this requirement, or be issued a waiver/exemption for a specified medical condition. A Qualified Medical Examiner in your area can be found by searching the database at:

<https://nationalregistry.fmcsa.dot.gov/home>

To be qualified to operate a CMV, a driver must

- Have no loss of a foot, leg, hand, or arm
- Have no impairment of hand or finger which interferes with prehension or power grasping, or an arm, foot, or leg that has limitations that interfere with the ability to perform normal driving tasks
- Have no history of diabetes mellitus requiring insulin for control, unless meeting requirements of Part 391.46
- Have no current diagnosis of heart disease
- Have no respiratory dysfunction likely to interfere with safe operation of a CMV
- Have no current diagnosis of high blood pressure likely to interfere with safe operation of CMV
- Have no diagnosis of rheumatic, arthritic, orthopedic, muscular, neuromuscular, or vascular disease likely to interfere with safe operation of a CMV
- Have no history or diagnosis of epilepsy or other condition likely to cause a loss of consciousness or ability to control a CMV
- Have no mental, nervous, organic, or functional disease or psychiatric disorder likely to interfere with safe operation
- Have visual acuity of at least 20/40 in each eye, field of vision of at least 70 degrees in the horizontal Meridian, and the ability to recognize colors of traffic signals and devices showing standard red, green and amber. Acuity can be achieved with corrective lenses, or by being in compliance with 49 CFR 391.44.
- Not have hearing loss that prevents hearing a forced whisper at 5 ft. Hearing can be corrected with use of hearing aids.
- Not use a schedule 1 controlled substance, amphetamine, narcotic, or other habit-forming drug
- Not have a current clinical diagnosis of alcoholism.

The Federal Motor Carrier Safety Administration may grant a Skills Performance Evaluation (SPE) Certificate to drivers that are not physically qualified due to loss or

impairment of limbs. In addition, drivers with certain vision issues that would have formerly applied for a waiver/exemption may now comply with FMCSA's Vision Standard, effective March 22, 2022. Drivers with diabetes are no longer required to obtain a waiver/exemption as long as they hold a valid medical certificate issued by a qualified medical examiner. A driver holding a SPE or Federal waiver/exemption does not need to obtain a state issued waiver.

A driver issued a ND medical waiver for vision will be required to carry a medical certificate and will have an intrastate driver restriction.

Drivers operating a vehicle requiring a CDL in interstate commerce must have their medical certificate submitted to their State Driver License Division through their medical examiner to be placed on their driving record. See Commercial Driver License Section for further information on this requirement.

### **Driver Disqualifications**

A driver who is disqualified shall not operate a CMV, nor shall a motor carrier allow a disqualified driver to operate a CMV. Disqualifying offenses include:

- Loss of driving privileges by reason of revocation, suspension, withdrawal, or denial of a license or permit
- Driving a CMV while under the influence of alcohol, .04 BAC or higher or refusal to test
- Driving a CMV under the influence of a Schedule I controlled substance, amphetamine, or narcotic drug
- Transportation, possession, or unlawful use of a Schedule I controlled substance, amphetamine, or narcotic while on-duty
- Leaving the scene of an accident while operating a CMV
- A felony involving the use of a CMV
- Violation of an Out of Service Order
- Two or more convictions of texting while driving in a CMV
- Two or more convictions of using a hand-held mobile telephone while driving a CMV

### **Driver Qualification File (DQ File)**

Each motor carrier must maintain a driver qualification file for each driver it employs. The file must be maintained for the driver's length of employment and for 3 additional years. The driver qualification file must contain:

- Complete employment application containing all the requirements in Part 391.21
- Copy of the motor vehicle record obtained to meet requirements of Part 391.23 (Initial Driving Abstract)
- Certificate of driver's road test or copy of CDL accepted as equivalent. (T or N endorsements require road test)
- Motor vehicle record obtained to meet annual requirements (maintained for 3 years)

- List of violations completed by driver on annual basis (maintained for 3 years)
- Annual Review of driver's driving record (maintained for 3 years)
- Medical examiner's certificate, including variance if applicable (maintained for 3 years)
  - For CDL drivers, if the driving record contains the medical certification status information, this requirement must be met by placing the CDLIS record in the DQ file
- Skills Performance Evaluation certificate, if applicable (maintained for 3 years)
- Note relating to the verification of the medical examiner in the National Registry of Certified Medical Examiners (maintained for 3 years)
  - Not applicable to CDL drivers after June 22, 2025

### **Entry Level Training**

After February 7, 2022, all drivers obtaining CDL, moving to a higher class CDL, or adding specific endorsements to a CDL (H, S, or P) will be required to attend training provided by a Trainer listed on FMCSA's Training Provider Registry (TPR). This training must be completed, with the training certificate available, prior to State License Divisions issuing the license. The training will consist of classroom and behind-the-wheel training. Regulations do not specify the length of the training, only what the curriculum must contain. Contact a Trainer listed on the TPR (<https://tpr.fmcsa.dot.gov>) for length, scheduling and fees.

### **Longer Combination Vehicle Training**

Drivers operating vehicle combinations consisting of a truck-tractor and two or more trailers/semi-trailers on the Interstate System or Defense Highways must receive training according to 380.101-380.401. A copy of the Driver-Training certificate showing completion of the training must be maintained in the driver qualification file by the employer.

## **SECTION 03: CONTROLLED SUBSTANCES & ALCOHOL TESTING REQUIREMENTS**

### **Applicability**

All drivers operating a Commercial Motor Vehicle, in interstate or intrastate commerce, requiring a Commercial Driver License are required to comply with 49 CFR Part 382 – Controlled Substances and Alcohol Use and Testing. Each carrier that employs a driver must have implemented a Controlled Substances and Alcohol Testing program.

A Controlled Substances and Alcohol testing program must consist of the following tests:

1. Pre-employment test – result must be obtained prior to the driver operating a CMV.
2. Random Tests – Each driver must have an equal and random chance of being tested throughout the year. The employer is required to test at the applicable Federal rate on an annual basis. An employer can meet this testing rate by joining a consortium that tests at the applicable rate.

3. Post Accident Test – Each driver that has been involved in a Federally reportable crash that results in a fatality or the driver of the CMV receiving a traffic citation must be tested. The driver must be tested within 2 hours of the crash for Alcohol (cease attempts after 8 hours), and 32 hours for controlled substances. If the alcohol test was unable to be completed within the first two hours following the crash, a record stating the reason must be retained. A Federally reportable crash is any that involves a fatality, an injury where someone receives medical attention immediately away from the scene, or one or more of the vehicles was towed from the scene due to disabling damage.
4. Reasonable Suspicion test – Each driver must submit to a test when the employer has reasonable suspicion to believe the driver is under the influence of either controlled substances or alcohol.
5. Return to Duty – Each driver that tests positive must meet with a Substance Abuse Professional (SAP) and complete any treatment determined to be appropriate. After completing the requirements of the SAP, the driver must receive a Return to Duty test prior to operating a CMV.
6. Follow-up Testing – After the Return-to-Duty test, a driver will be required to complete follow-up testing in a number and frequency as prescribed by the Substance Abuse Professional (SAP) in a written follow-up testing plan.

### **Drug and Alcohol Clearinghouse**

All CMV drivers operating a vehicle requiring a CDL are subject to the Drug and Alcohol Clearinghouse. All employers must conduct queries on drivers during the pre-employment process on CDL drivers and once per year on all CDL drivers. The pre-employment query must be a full query. The employer may conduct a limited query during the annual check but must conduct a full query if the Clearinghouse reports that information exists. The employer can conduct a limited query with written consent, but a full query requires the driver to give electronic consent. Electronic consent can only be given through the Clearinghouse by a driver who has completed his/her registration in the Clearinghouse. An employer who employs himself/herself as a driver must designate a Consortium/Third Party Administrator (C/TPA) to comply with the employer requirements of the Clearinghouse. See 49 CFR Part 382.705 for specific reporting requirements for Medical Review officers (MRO's) and Employers.

#### 1. Controlled Substances & Alcohol Testing Program/Policy

In addition to the tests and requirements listed above, an employer must establish a company policy containing all the required content as outlined in Part 382.601 and provide reasonable suspicion training to supervisors. The program can be overseen by a carrier employee or contracted with a C/TPA. In either case, the carrier is still responsible for the proper implementation and oversight of the program.

### **Alcohol Prohibitions**

A driver of a CMV that requires a CDL shall not:

- Report for duty or remain on duty requiring the performance of a safety-sensitive function with an alcohol concentration of .04 or greater

- Use alcohol while performing safety-sensitive functions
- Use alcohol within 4 hours of performing safety-sensitive functions
- Use alcohol for 8 hours, or until the test is complete, following a crash requiring post-accident testing
- Refuse to submit to a required alcohol test

### **Controlled Substances Prohibitions**

A driver of a CMV requiring a CDL shall not:

- Report for duty or remain on duty to perform safety-sensitive functions while using any drug or controlled substance
  - A non-Schedule I prescription medication that is used in accordance with a medical practitioner's instructions who has advised the driver the medication will not adversely affect the driver's ability to safely operate a CMV is exempted from the prohibition
- Report for duty or remain on duty to perform safety-sensitive functions if the driver tests positive for controlled substances
- Refuse to submit to a required controlled substance test

### **Controlled Substances and Alcohol Testing Program Requirements**

#### **Checklist**

- Do you have at least one person familiar with the controlled substances and alcohol testing requirements?
- Do you have written company policies and procedures describing your company's alcohol and controlled substances testing program?
- Have you informed employees, in writing, of the company's alcohol and controlled substances use policy and its implementation?
- Have you provided educational materials relating to the effects of alcohol and controlled substance use and abuse to your affected employees?
- Have you identified which job positions need to be tested?
- Have you selected qualified personnel to implement and monitor your program?
- Does your program include testing for the five prohibited controlled substances: marijuana, cocaine, opioids, amphetamines and phencyclidine?
- Have you established or contracted for a secure specimen collection site with appropriately trained personnel and clearly written procedures?
- Have you established or contracted with a certified laboratory to analyze specimens?
- Have you designated a qualified Medical Review Officer to review and report test results and serve as a custodian of individual test records?
- Have you contracted with qualified alcohol testing technicians to conduct alcohol tests?
- Does your program include pre-employment-controlled substances testing?
- Does your program include random, reasonable suspicion, post-accident, return to duty, and follow-up testing for alcohol and controlled substances?

- Have you identified substance abuse professionals (SAPs) and rehabilitation resources for referral?
- Have you made arrangements for a minimum 120 minutes of training (60 minutes for controlled substances and 60 minutes for alcohol) for supervisors required to make reasonable suspicion determinations?
- Have you made record keeping and reporting provisions? Do they protect the right to privacy and prevent unauthorized release of test results?

## **SECTION 04: COMMERCIAL DRIVER'S LICENSE REQUIREMENTS**

### **Commercial Driver's License**

All drivers of commercial vehicles in North Dakota must possess a valid operator's license for the type of vehicle they are operating.

- Class A Any vehicle combination with a gross combination weight rating (GCWR) or gross combination weight (GCW) of 26,001 pounds towing a trailer with a gross vehicle weight rating (GVWR) or gross vehicle weight (GVW) of 10,001 pounds or more
- Class B Single unit of 26,001 pounds or more GVWR may tow a trailer of not more than 10,000 pounds GVWR
- Class C Any vehicle not listed in Class A or B but requiring one or more commercial endorsements
- Class D Non-commercial vehicles other than motorcycles
- Class M Motorcycles

### **Commercial Endorsements**

- H-Authorizes the driver to drive a vehicle transporting hazardous materials in a quantity requiring placarding
- T-Authorizes the driver to drive a vehicle pulling double or triple trailers
- P-Authorizes the driver to drive a vehicle designed to transport 16 or more passengers including the driver
- N-Authorizes the driver to drive a vehicle that is designed to transport any liquid or gaseous material within a tank or tanks having an individual rated capacity of more than 119 gallons, and an aggregate rated capacity of 1,000 gallons or more, that is either permanently or temporarily attached to the vehicle or chassis. A CMV transporting an empty storage container tank not designed for transportation (rated capacity of 1,000 or more) that is temporarily attached to a flatbed trailer or a CMV transporting portable tanks with only residue are not considered a tank vehicle.
- S-Authorizes the driver to operate a school bus
- X-Authorizes the driver to drive a vehicle requiring a hazardous materials endorsement and/or a tanker endorsement.

### **Commercial Restrictions**

- K-Valid for Intrastate Operation of a CMV only. Driver certified transportation is only intrastate or driver holds a ND medical waiver.

- O-Not valid for Truck-tractor. Driving test was conducted in truck and trailer instead of truck-tractor.
- L-Non air braked equipped CMVs only. Driver did not pass both airbrake written and road test.
- Z-No full air braked equipped CMV. Driver tested in vehicle with air over hydraulic brakes.
- P-No Passengers in a CMV bus.
- X-No cargo in CMV tank vehicle.
- E-No manual transmission equipped CMV. Driver tested in vehicle with automatic transmission.
- M-No Class A passenger bus. Driver tested in Class B or C passenger bus.
- N-No Class A or B passenger bus. Driver tested in Class C passenger bus.
- V-CDL Medical Variance. Driver has been granted a Federal Exemption from one or medical requirements

### **Commercial Learner's Permit**

A Commercial Learner's Permit serves as a Commercial Driver's License while accompanied by a driver properly credentialed to operate the CMV. The CLP must be applicable to the type of vehicle being operated. The accompanying driver must be in the front seat next to the CDL holder, or in the case of a passenger vehicle, directly behind or in the first row behind the driver and must have the CLP holder under observation and direct supervision. CLPs may have endorsements of P, S, or N, but may not operate the vehicle with passengers on board (other than the supervising driver) or with liquids in the tank. A vehicle requiring hazardous material placards may not be operated by a CLP holder.

### **Entry Level Driver Training**

Beginning February 7, 2022, all drivers will be required to complete Entry Level Driving Training prior to obtaining a CDL, moving to higher CDL Class, or obtaining certain endorsements. Upon completion of the training by an approved FMCSA trainer, the trainer will provide the training completion certificate through the Training Provider Registry (TPR). State Driver's License Divisions will be able to access the training certificate through the TPR. The following will be required to complete the training from a trainer listed on the TPR:

- Obtaining a Class A or B CDL
- Moving from a Class B CDL to a Class A CDL
- Obtaining a Passenger Endorsement (P)
- Obtaining a School Bus Endorsement (S)
- Obtaining a Hazardous Materials Endorsement (H)

Renewal of a current license and endorsements or the application for the removal of a restriction will not require training.

### **Farm Exemption**

The holder of a Class D license may operate any vehicle in a farm-to-market operation within 150 miles of the farm. If the vehicle is a ND Covered Farm Vehicle, it may be

operated anywhere in ND without a mileage limitation and within a 150 air mile radius of the farm in interstate operations. However, this exemption does not apply to double or triple trailer combinations. Operators under 18 years of age may not operate a truck tractor. Operators 14 and 15 years of age may not operate vehicles with a gross weight greater than 50,000 pounds. A Covered Farm Vehicle is a vehicle identified by the State of Registration as a farm vehicle, operated by the owner or employee of a farm or ranch, used to transport commodities or supplies to or from the farm, and not used in for-hire motor carrier operations.

### **Medical Self-Certification**

A driver applying for a Commercial Learner's Permit (CLP) or holds a Commercial Driver's License (CDL) must self-certify regarding the type of operation the driver will be conducting. The driver must choose from:

1. Category 1 – Interstate operation and subject to medical certification requirements
2. Category 2- Interstate and exempt from medical certification requirements
3. Category 3 – Intrastate and subject to medical certification requirements
4. Category 4 – Intrastate and exempt from medical certification requirements

Category 1 drivers must ensure that their medical certificate is uploaded to their State Driver's License Agency by their medical examiner each time a new medical certificate is obtained. Failure to keep a valid medical certificate on file will cause the CDL to be downgraded to a Class D license.

Category 2, 3, or 4 drivers do not submit a copy of the medical certification to Driver's License Division. A category 3 driver must still have a valid medical certificate and have a copy of it in his/her possession when operating a CMV.

Category 3 and 4 drivers will have an Intrastate Only restriction placed on their license, limiting them to CDL operations within ND. A driver may change their Category at any time by appearing at a Driver's License Testing Site.

### **Hazardous Materials Endorsements**

The USA PATRIOT Act was signed into law October 25, 2001. This law imposes additional requirements on those individuals that are obtaining, renewing, or transferring a Hazardous Materials Endorsement. The holder of a license with an H endorsement must have a federal security threat assessment completed and provide fingerprints at a TSA fingerprint collection site. Guidance to complete this process can be found at: <https://www.dot.nd.gov/driver/commercial/hazardous-material-requirements>.

### **Restricted CDL for Certain Drivers in Farm-Related Service Industries**

Employees of certain farm-related services can be eligible for a restricted, sometimes referred to as a seasonal, CDL. Industries allowed to use drivers with this restricted CDL:

- Agri-chemical businesses

- Custom Harvesters
- Farm retail outlets and suppliers
- Livestock feeders.

Those interested in obtaining the restricted CDL must have held a valid driver's license for at least one year and have a good driving record. A good driving record means the driver:

- Has not had more than one license
- Has not had any license suspended, revoked, or cancelled
- Has not had any conviction for any type of motor vehicle for a CDL disqualifying offense
- Has not had any conviction for any type of motor vehicle for serious traffic violations
- Has not had any conviction of a State or Local law for a traffic control violation in association with a traffic crash
- Has no record of a traffic crash in which he/she was at fault

Limitations placed on a restricted CDL include:

- Maximum of 180 days in a 12-month period. State of issuance decides whether it is one block of time or split into seasonal periods (ND allows two 90-day periods).
- Renewal of a restricted CDL requires review of new review of driving record
- Driver is limited to operating Class B or C vehicles
- No Endorsements are authorized
- No placarded Hazardous Materials or tank vehicles except:
  - 1,000 gallons or less of diesel fuel
  - 3,000 gallons or less of liquid fertilizer being transported in vehicles or implements of husbandry
  - Solid fertilizers being transported with no organic substance
- Transportation is limited to 150 air mile radius from the place of business or farm being served
- Driver may not possess a regular CDL and restricted CDL at the same time

Note: Anhydrous Ammonia trailers that have been fitted with more than one tank may meet the definition of a Class A vehicle combination and cannot be operated by a driver holding a restricted CDL.

### **Disqualification of Commercial Driver's License**

A driver that holds a CDL can have that license disqualified from 60 days to Life, upon conviction(s) of certain traffic offenses. The actual length of disqualification can depend on the type of violation, whether the offense was committed in a CMV or non-CMV, and whether the vehicle was transporting hazardous materials at the time the offense was committed. The disqualifications within the Federal regulations only pertain to the CDL, not to a non-CDL license. Depending on the type of offense, the non-CDL could also be suspended or revoked dependent on State Law. The length of that suspension or revocation would also depend on State Law. For a breakdown of violations and lengths

of disqualifications, visit 49 CFR Parts 383.51 and 391.15 at: [www.fmcsa.dot.gov/regulations](http://www.fmcsa.dot.gov/regulations) and North Dakota Century Code Title 39-06.2-10 at

## **SECTION 05: HOURS OF SERVICE**

### **Interstate/Intrastate Drivers**

All interstate commercial motor vehicle (CMV) drivers must comply with the federal hours of service regulations. Intrastate CMV drivers, to include farm operations, (reference Covered Farm Vehicle Driver Exemption), must comply with the federal or state hours of service regulations. General information concerning hours of service is provided below. For specific information on your operation, refer to the Federal Motor Carrier Safety Regulations (FMCSR).

### **Electronic Logging Devices (ELDs)**

1. CMV drivers must maintain a record of duty status with an Electronic Logging Device (ELD) unless the driver qualifies for an exemption.
2. The ELD must be on FMCSA's list of approved devices which can be found at <https://eld.fmcsa.dot.gov/List>.
3. The driver must possess the following items on board the CMV (may be maintained electronically):
  - a. A user's manual for the ELD
  - b. An instruction sheet that describes data transfer mechanisms
  - c. An instruction sheet describing ELD malfunction reporting requirements
  - d. A supply of blank paper logs for a minimum of 8 days
4. The device must transfer the data file, at the time of inspection, to an authorized safety official using a prescribed method.
5. An ELD is not required if the driver is not required to complete a record of duty status due to an exemption in the hours of service regulations (i.e.. Short Haul driver)
6. A Driver is not required to use an ELD if one of the following ELD Exemptions is met:
  - a. The vehicle being operated was manufactured before model year 2000, as reflected by the vehicle's VIN number shown on registration card
  - b. Driver is not required to complete a record of duty status more than 8 days in a 30-day period
  - c. Driver is operating a vehicle in driveway-towaway operation in which the vehicle being driven is being delivered as part of the shipment
  - d. Driver is operating a vehicle in a driveway-towaway operation and the vehicle is a motor home or recreational vehicle trailer.

### **Record of Duty Status**

1. If a CMV driver is exempt from the Electronic Logging Device regulation, they must still maintain a record of duty status or logbook, The record of duty status may be maintained in either a paper or electronic format, as outlined in the FMCSR. When two drivers operate the same vehicle, EACH must maintain their own record of duty status.

2. Log pages are prepared in duplicate with the original maintained at the motor carrier home office and the duplicate retained by the driver. Drivers must have in their possession a log for the day they are operating the vehicle and the previous seven days. The log must be current to the last change in duty status.
3. A separate log page is required for each and every day. However, two or more consecutive 24 hour **off duty** periods may be logged on one sheet. For example, a driver who is on vacation the first two weeks of July may fill out the top portion of the log and then line through the 24 hours off duty on line one and note in the remarks "vacation 7/1 through 7/14." The same can be done for a driver who has weekends off – fill out the top portion, line through the off duty line, and note the date "7/1-7/2."
4. Records of duty status are broken into three separate sections. The top portion contains log information, the middle section is the duty section with an hours graph grid, and the bottom section is for remarks. Some log pages may have these sections moved around, but it should be noted that all three sections are required and must be completed no matter where they are located on the log.
  - a. The **top section** is self-explanatory, providing both the company and driver information. Company name should be the legal carrier name, or DBA, and not an abbreviated name. The city and state will suffice for the main office address. Enter a home terminal address if the driver works out of a terminal that is different from the main office address. Enter the date, vehicle numbers for both the truck and, if in combination, the trailer(s), and the total miles driven for that date. Your signature certifies the log page to be true and accurate.

<b>DRIVER'S DAILY LOG</b> (ONE CALENDAR DAY - 24 HOURS)				ORIGINAL . File each day at home terminal DUPLICATE . Driver retains in his possession for eight days
7	1	03		45 / 45T
(MONTH)	(DAY)	(YEAR)	(TOTAL MILEAGE TODAY)	VEHICLE NUMBERS - (SHOW EACH UNIT)
397				<i>Alan Soren</i>
(TOTAL MILES DRIVING TODAY)				(DRIVER'S SIGNATURE IN FULL)
BENNY'S TRUCKING				
(NAME OF CARRIER OR CARRIERS)				(NAME OF CO-DRIVER)
ST CLOUD MN				ATLANTA GA
(MAIN OFFICE ADDRESS)				(HOME TERMINAL ADDRESS)

- b. The **middle portion** of the log contains the graph/grid. It covers a 24-hour period and may run from midnight to midnight, noon to noon, or any other 24-hour period as determined by the motor carrier. It has four parts:

**Line 1 is for Off Duty:** Time the driver is off duty and has no responsibility to the carrier, the equipment, the cargo, or to other work activity is logged here. Some common errors occur when time in a sleeper berth is logged as off duty and time working at another job as off duty. ANY time spent in the sleeper berth should be logged on line 2 and ANY work for compensation should be logged on line 4.

**Note:** Time spent resting in a parked CMV may be counted as off-duty time. Also, a passenger in a moving CMV may count up to, but not

exceed, three hours riding in the passenger seat of the CMV immediately before or after a seven-hour sleeper berth period as off-duty time.

**Line 2 is for Sleeper Berth:** Any time spent in the sleeper berth (sleeping, reading, watching TV) is logged here.

**Line 3 is for Driving:** All time spent at the driving controls of a commercial motor vehicle.

**Line 4 is for On Duty Not Driving:** Any time spent on duty and not driving. It should include time spent in the passenger seat of the CMV, fueling, unloading, loading, tarping, clearing customs, working at another compensated job, etc.

- c. The **bottom portion** is the remarks section. In the remarks section, if not noted elsewhere, the shipment information (manifest number or shipper and commodity) must be noted. The location (city and state) where changes of duty status occur must be noted. Delays which may impact your trip can also be noted.

## Hours of Service Rules

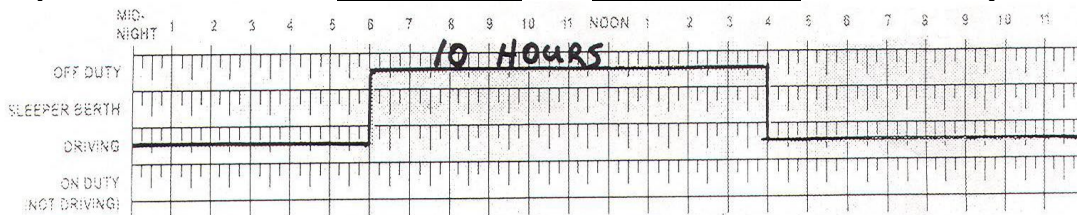
### Property Carrying Vehicles

1. Hours of Service rules are the same whether the Driver is using an ELD, paper log, or electronic log.
2. Driving time in the US is limited by the FMCSRs. When in Canada, driving time is limited by Canadian regulations. Drivers must always comply with the rules for the country in which they are operating. Below are the basic rules for **property carrying vehicles**.
  - a. **The 11-hour rule.** No driver may drive more than 11 hours after having 10 hours of rest. Only time on line 3 counts toward the 11-hour rule.
    1. A driver may not drive a CMV if 8 hours of drive time have passed since the last off duty, on duty not driving, or sleeper berth period of 30 minutes or more. This is referred to as the half hour break requirement.
  - b. **The 14-hour rule.** No driver may **drive** (you may still be on duty but not driving) after 14 hours of starting a work shift after having 10 hours of rest. All time on all four lines counts toward the 14-hour rule except any period of at least 2 consecutive hours in sleeper berth or off duty that is paired with another period of at least 7 consecutive hours in the sleeper berth, and when added together are at least 10 hours, meeting the requirements of the sleeper berth provision.
  - c. **The 60-hour rule.** Used by companies not operating every day of the week. No driver may drive more than 60 hours in any 7 consecutive days. The driver may restart the 7 days by having 34 consecutive hours off duty. Time on lines 3 and 4 count toward the 60-hour rule.

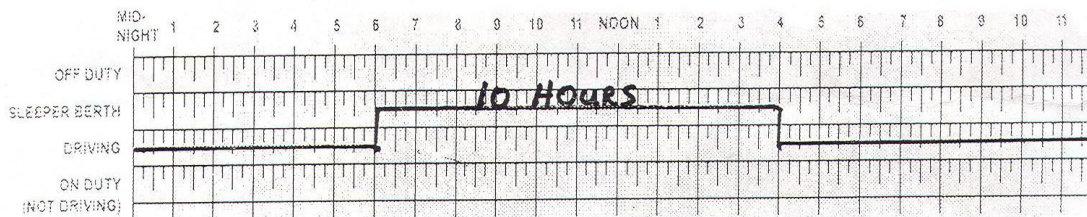
- d. **The 70-hour rule.** May be used by companies that operate vehicles every day of the week. No driver may drive more than 70 hours in any 8 consecutive days. The driver may restart the 8 days by having 34 consecutive hours off duty. All time on lines 3 and 4 count toward the 70-hour rule.

There are 4 methods for obtaining the required 10-hour rest break between shifts:

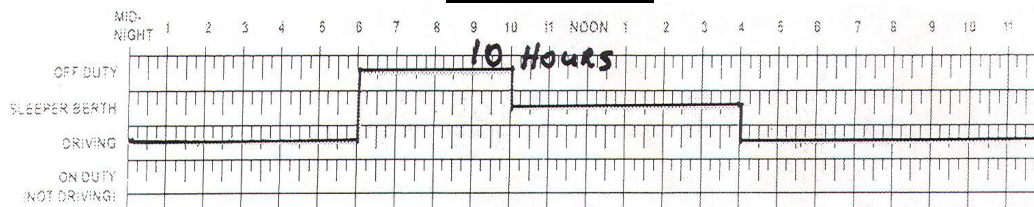
- **Option 1 – At least 10 consecutive and uninterrupted hours off duty.**



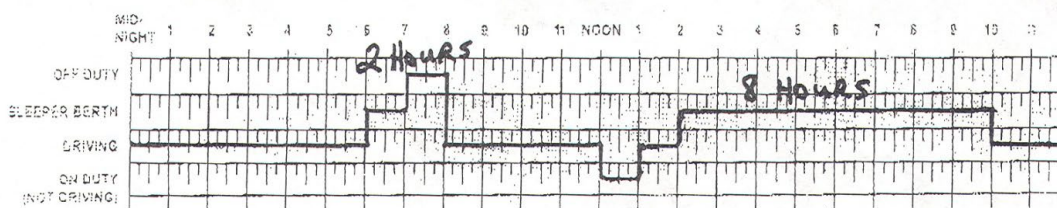
- **Option 2 – At least 10 consecutive and uninterrupted hours in the sleeper berth.**



- **Option 3 – At least 10 consecutive hours sleeper berth and off duty time combined and uninterrupted.**



- **Option 4 – Sleeper Berth Provision. Obtain the equivalent of at least 10 consecutive hours off duty by spending at least 7 hours consecutive, uninterrupted hours in the sleeper berth and pairing that with an additional period of at least 2 hours in either sleeper berth or off duty. The two paired periods must add up to 10 hours.**



### **Calculation of the 11- and 14-hour rule using the sleeper berth provision.**

Calculation of the 11-hour driving limit includes all driving time; compliance must be recalculated from the end of the first of the two periods that are paired to comply with the sleeper berth provision.

Calculation of the 14-hour limit includes all time except any sleeper berth period of at least 7 consecutive hours and any off duty or sleeper berth period of at least 2 consecutive hours that can be properly paired together. Compliance must be recalculated from the end of the first of the two periods that have been paired to comply with the requirements of the sleeper berth provision.

### **Passenger Carrying Vehicles**

1. Hours of Service rules are the same whether the Driver is using an ELD, AOBDR, paper log, or electronic log.
2. Driving time in the US is limited by the FMCSRs. When in Canada, driving time is limited by Canadian regulations. Drivers must always comply with the rules for the country in which they are driving. Below are the basic rules for **passenger carrying vehicles**.
  - a. **The 10-hour rule.** No driver may drive more than 10 hours after having 8 hours of rest. Only time on line 3 counts toward the 10-hour rule.
  - b. **The 15-hour rule.** No driver may **drive** (you may still be on duty but not driving) after having been on duty for 15 hours following 8 hours of rest. Drive time and On duty-not driving time count toward the 15-hour rule.
  - c. **The 60-hour rule.** Used by companies not operating every day of the week. No driver may drive more than 60 hours in any 7 consecutive days. Time on lines 3 and 4 count toward the 60-hour rule.
  - d. **The 70-hour rule.** May be used by companies that operate vehicles every day of the week. No driver may drive more than 70 hours in any 8 consecutive days. All time on lines 3 and 4 count toward the 70-hour rule.

There are 4 methods for obtaining the required 8-hour break between shifts:

1. Option 1 – at least 8 consecutive hours off duty
2. Option 2 – at least 8 consecutive hours in sleeper berth
3. Option 3 – at least 8 consecutive hours sleeper berth and off duty combined and uninterrupted
4. Option 4 – Sleeper Berth Provision. Obtain the equivalent of at least 8 consecutive hours off duty by taking two periods of rest in the sleeper berth. Neither period can be less than 2 hours and when added together, total at least 8 hours.

### **Calculation of the 10- and 15-hour rule using the sleeper berth provision.**

Calculation of the 10-hour driving limit includes all driving time. Compliance must be re-calculated from the end of the first of the two periods that are paired to comply with the sleeper berth provision.

Calculation of the 15-hour limit includes all drive time and on duty-not driving time. Compliance must be re-calculated from the end of the first of the two periods that have been paired to comply with the requirements of the sleeper berth provision.

### **Hours of Service Exemptions**

#### **Adverse Driving Conditions:**

The FMCSR permits a driver to drive and/or be on duty up to two additional hours to complete a trip OR to reach a place of safety if adverse driving conditions are encountered. The rule applies ONLY WHEN the driver could not have reasonably known about the conditions following the last qualifying rest period or the dispatcher was not aware of the adverse weather conditions prior to the dispatch.

#### **Oilfield Operations:**

1. Drivers of commercial motor vehicles used exclusively in the transportation of oilfield equipment and servicing of the field operations of the natural gas and oil industry, may restart any period of 7 or 8 consecutive days with a 24-hour restart (instead of a 34-hour restart). This exception is broad—many CMV drivers in the oilfield industry may take advantage of this exemption.
2. Specially trained drivers of CMVs that are specially constructed to service oil wells, on-duty time shall not include waiting time at a natural gas or oil well site. However, all such time must be fully and accurately accounted for by the motor carrier, either by using a “5-line” log, or by accounting for on-site time in the remarks section of the record of duty status. This equipment generally consists of heavy machinery mounted on commercial motor vehicles, designed to fill a specific need. Drivers utilizing this exemption are not permitted to use the short-haul exemption found in 49 CFR 395.1(e)(1).

*Water haulers working in the oilfield are only permitted to take the first exception (24-hour restart), if they qualify for the exception.*

#### **Short Haul CDL Driver:**

Drivers are exempt from maintaining a record of duty status if they operate within 150 air miles (172.6 statute miles) of their normal work reporting location. In order to claim this exemption, the driver must return to the work reporting location, be released within 14 consecutive hours, have at least 10 consecutive hours off duty separating each 14 hours on-duty, does not exceed 11 hours driving time following the 10 hours off duty, and that the motor carrier maintains true and accurate time records for 6 months which show the time the driver reports for duty, is released from duty, and the total hours on duty each day. A driver using this exemption is still required to follow the 60/70-hour rule.

**Short Haul Non-CDL Driver:**

Drivers who operate commercial vehicles that do not require a commercial driver's license are exempt from maintaining a record of duty status if they operate within 150 air mile radius of the normal work reporting location.

In order to claim this exemption, the driver must return to the normal work reporting location at the end of each duty tour; the driver must have at least 10 consecutive hours off duty separating each on-duty period; the driver does not drive more than 11 hours following 10 hours off; the driver cannot drive after the 14<sup>th</sup> hour after coming on duty on 5 days of any period of 7 consecutive days and after the 16<sup>th</sup> hour after coming on duty on 2 days of any period of 7 consecutive days. The motor carrier must maintain true and accurate time records for 6 months which show the time the driver reports for duty, is released from duty, and total hours on duty each day. A driver using this exemption is still required to follow the 60/70-hour rule.

**Agricultural Operations:**

Federal regulations governing maximum driving and on-duty time do not apply to a driver transporting agricultural commodities or farm supplies, including farm equipment and machinery, for agricultural purposes in this state during the planting and harvesting season, within 150 air-mile radius from the source of the commodities or the distribution point for the supplies. A driver must complete a record of duty status when traveling outside the 150 air-mile radius from the source. The record of duty status will be required to be an ELD, unless the driver qualifies for an ELD exemption. Planting and harvesting seasons are determined by each individual state. North Dakota's planting and harvesting season is January 1 to December 31.

Livestock haulers are also exempted from hours-of-service requirements within a 150 air-mile radius from their destination.

**Covered Farm Vehicle Drivers:**

Drivers who operate vehicles meeting the definition of a Covered Farm Vehicle are exempt from Hours-of-Service Regulations. The Gross Vehicle Weight Rating (GVWR), or gross vehicle weight, determines the distance the driver is able to take advantage of the exemption. Drivers operating a vehicle with a GVWR of 26,001 lbs. or less are able to travel anywhere in the United States while those operating vehicles greater than 26,001 lbs. can operate anywhere when operating intrastate within their state of registration or within 150 air miles of the farm in interstate commerce.

**Intrastate Hours of Service**

Drivers of vehicles with a manufacturer's gross vehicle weight rating of 26,000 pounds or less are exempt from hours-of-service limitations when operating wholly within the state of North Dakota.

Intrastate drivers in North Dakota may not drive:

1. More than 12 hours following 10 consecutive hours off duty,
2. For any period after having been on duty for 16 hours,

3. After having been on duty for 70 hours in 7 consecutive days.

An intrastate driver is exempt from maintaining a record of duty status if:

1. The driver operates within a 150 air-mile radius from the driver's normal work reporting location or a 150 air-mile radius from the official worksite of the vehicle.
2. The driver, except for a driver salesperson, returns to the work reporting location and is released from work within 14 consecutive hours.
3. At least 10 consecutive hours off duty separate each 14 hours on duty.
4. The motor carrier maintains and retains for a period of six months, accurate time records showing the time the driver reports for duty and is released from duty each day.

Note: A Driver using the Intrastate Hours of Service rules is not eligible for the 34-hour restart provision in the 60/70-hour rule.

Intrastate CMV drivers may elect to utilize the federal hours-of-service regulations in place of the intrastate hours of service regulations.

## **SECTION 06: VEHICLE INSPECTION, REPAIR AND MAINTENANCE**

Vehicle Inspection, Repair and Maintenance standards are important to reduce crashes, injuries, and fatalities caused by unsafe vehicles operating on our roadways. North Dakota adopts these maintenance standards for all interstate and intrastate commercial motor vehicles. These standards require:

- Carriers to ensure all vehicles under their control are inspected, repaired, and maintained according to the regulations and are in safe operating condition at all times
- Carriers to establish a maintenance program for all vehicles under their control
- Carriers to prohibit the operation of a vehicle that has a mechanical condition that is likely to cause a crash or breakdown
- Passenger carriers to inspect pushout windows, emergency doors, and emergency door marking lights at least every 90 days

In addition to keeping the vehicles in safe operation condition, Carriers must maintain records for vehicles that are under its' control for 30 consecutive days or more. The records required include:

- Identification of the vehicle by company number, make, serial number, year, and tire size. If the vehicle is not owned by the carrier, it must also identify the name of the person furnishing the vehicle.
- A means to indicate the nature and due date of various inspection and maintenance operations to be performed
- A record of inspection, repairs, and maintenance indicating their date and nature
- A record of tests conducted on pushout windows, emergency doors, and emergency door marking lights on passenger vehicles

These records must be maintained for 1 year and for 6 months after the vehicle leaves the motor carrier's control.

### **Pre-trip Inspections**

Before driving a CMV, the driver shall be satisfied the vehicle is in safe operating condition. In addition to verifying the vehicle components, safety equipment, and load securement, the driver shall review the previous Driver/Vehicle Inspection Report for any defects. Driver/Vehicle Inspection reports may not be available if no defects were detected by the previous driver. If defects were identified by the previous driver, the current driver shall verify the defects were repaired and sign the previous day's inspection report.

### **Driver/Vehicle Inspection Reports (DVIR)**

At the completion of each day, a driver is required to complete a report, for each vehicle operated that day, of any defects in vehicle components that affect the safe operation of the vehicle. The driver must identify the vehicle(s), identify the defect, and sign the report. The report must cover, at a minimum:

- Service Brakes including trailer brake connections
- Parking Brake
- Steering mechanism
- Lighting devices and reflectors
- Tires
- Horn
- Windshield wipers
- Rear vision mirrors
- Coupling devices
- Wheels and rims
- Emergency equipment

If no defect was discovered or reported to the driver that day, a DVIR is not required to be completed. If a DVIR is required, the carrier or its agent must repair any defect affecting the safe operation of the vehicle and certify on the report that it was repaired or the repair was not necessary before the vehicle is operated again. The DVIR must be retained by the carrier for a minimum of 90 days.

### **Periodic Inspection**

Every Commercial Motor Vehicle must be inspected, and a report completed, on an annual basis. This inspection is many times referred to as the Annual Inspection. The vehicle components that must be inspected are identified in Appendix A to 49 CFR Part 396. The inspection is valid for 12 months from the last day of the month in which the inspection was performed. There must be proof the inspection was completed; is currently valid; and must be available whenever the vehicle is operated. Proof of inspection can be satisfied by the written inspection report or a sticker/decal affixed to the CMV. If a sticker/decal is used in lieu of the report, it must contain:

- the date the inspection was completed
- name and address of motor carrier where the original report is maintained
- information uniquely identifying the vehicle inspected

- certification that the vehicle passed the inspection

The periodic inspection must be completed by an individual that meets the requirements contained in Part 396.19.

The retention period for periodic inspection is 14 months from the date of the inspection.

State, Provincial, and Mexican inspection programs that are considered equivalent to the inspection required by Appendix G, are considered to have met the requirements of this section. Jurisdictions with equivalent inspection programs can be found at: <https://www.govinfo.gov/content/pkg/FR-2008-10-22/pdf/E8-25174.pdf>.

### **Covered Farm Vehicles**

Covered farm vehicles are exempted from the maintenance recordkeeping requirements in 49 CFR Part 396 but are still subject to all requirements pertaining to safe equipment and cargo securement in 49 CFR Part 393.

### **Cargo Securement**

North Dakota follows the cargo securement guidelines as outlined in the Federal Motor Carrier Safety Regulations (FMCSR) 49 CFR 393.100 – 393.136.

Cargo securement systems and tie downs must meet the minimum performance criteria outlined in the FMCSRs.

Generally, when tie downs are used as part of a cargo securement system, the minimum number of tie downs required securing an article or group of articles against movement depends on the **length and weight** of the article(s) being secured.

When an article is not blocked or positioned to prevent movement in the forward direction by a header board, bulkhead, other cargo, or other appropriate blocking devices, it must be secured by at least:

- One tie down for articles 5 feet (1.52 meters) or less in length and 1,100 pounds (500 kg) or less in weight.
- Two tie downs if the article is 5 feet (1.52 meters) or less in length and more than 1,100 pounds (500 kg) in weight, or longer than 5 feet (1.52 meters) but less than or equal to 10 feet (3.04 meters) in length, irrespective of the weight.
- Two tie downs if the article is longer than 10 feet (3.04 meters), and one additional tie down for every 10 feet (3.04 meters) of article length, or fraction thereof, beyond the first 10 feet (3.04 meters) of length.
- If an individual article is blocked, braced, or immobilized to prevent movement in the forward direction by a header board, bulkhead, other articles which are adequately secured or by an appropriate blocking or immobilization method, it must be secured

by at least one tie down for every 10 feet (3.04 meters) of article length, or fraction thereof.

If operating a **special purpose vehicle**, special rules apply. This includes any vehicle transporting one or more articles of cargo such as, but not limited to, machinery or fabricated structural items (e.g. steel or concrete beams, crane booms, girders, and trusses, etc.) which, because of their design, size, shape, or weight, must be fastened by special methods. In that case, any article of cargo carried on that vehicle must be securely and adequately fastened to the vehicle. Also, specific tie down requirements exist in the FMCSR for some specialty items including logs, dressed lumber, metal coils, paper rolls, concrete pipe, intermodal containers, heavy vehicles, crushed vehicles, automobiles, roll on-roll off containers, and boulders.

The aggregate working load limit of tie downs used to secure an article or group of articles against movement must be at least one-half times the weight of articles or group of articles.

Calculation of the working load limit is dependent on the method of attachment of each individual tie-down:

- Tie-downs going either from an anchor point on the vehicle to an anchor point on an article of cargo, or from an anchor point on the vehicle through, over, or around the article of cargo and back to an anchor point on the same side of the vehicle are given  $\frac{1}{2}$  the working load limit of that device.
- Tie-downs going from an anchor point on the vehicle through, over, or around the article of cargo to an anchor point on the other side of the vehicle are given the full working load limit of that device.

### **Roadside Inspections**

North Dakota Highway Patrol officers and motor carrier personnel are trained to perform inspections of commercial motor vehicles and to check the driver's credentials. While stopped at a weigh/inspection station or along the road, your vehicle may receive a safety inspection. Brakes, tires, exhaust systems, coupling devices, and turn signals are some, but not all, of the equipment that may be inspected. Drivers may be asked to present their CDL (commercial driver's license), valid medical certificate, record of duty status (record of hours worked), and other supporting documents. If the equipment or driver fails to meet the regulation requirements and the violation is referenced in the CVSA Out of Service Criteria, the officer will not allow the driver or vehicle to proceed until the requirements have been met. A citation may also be issued.

- For CDL information, contact the Driver's License and Traffic Safety Division of the Department of Transportation at 701-328-2601.
- For record of duty status, medical requirements, and driver's safety information, contact the North Dakota Highway Patrol at 701-328-5128; or visit the *Frequently Asked Questions* section of our website at [www.statepatrol.nd.gov](http://www.statepatrol.nd.gov).

## **SECTION 07: CARRIER REGISTRATION, VEHICLE IDENTIFICATION, OPERATING AUTHORITY AND INSURANCE**

### **Carrier Registration**

Motor Carriers and intermodal equipment providers are required to register with the Federal Motor Carrier Safety Administration (FMCSA) and obtain an USDOT number. This requires the entity to complete the appropriate type of MCS-150 at initial application and update the registration at a minimum of every 24 months.

Those required to obtain USDOT number are:

- All US, Canada, Mexico, or non-North American domiciled motor carriers operating in interstate commerce
- A motor carrier operating in intrastate commerce and requiring a HM Safety Permit under Part 385.
- Intermodal equipment provider offering intermodal equipment in interstate commerce

Motor Carriers operating in intrastate commerce in North Dakota, and do not meet the above requirements, are not required to obtain a USDOT number. Farm trucks operating across state lines would be required to obtain a USDOT number. To obtain a USDOT number, visit: <https://www.fmcsa.dot.gov/registration>.

### **Vehicle Identification**

All motor carriers that are required to register, as described above, are also required to display on their vehicles the legal name and USDOT number. The legal name is the legal entity, or “doing business as (dba)” name, identified on the MCS-150 form. “USDOT” must precede the number when displayed on the vehicle. If the name of a carrier, other than the operating carrier, is displayed on a vehicle, the name of the operating carrier must be displayed with its USDOT number. The words “Operated By” must be displayed preceding the operating carrier’s information. The markings must be displayed in letters that are a contrasting color from the background color and be visible from 50 feet while the vehicle is stationary.

### **Operating Authority**

Operating Authority is required for motor carriers transporting property (regulated commodities) and passengers for-hire in interstate commerce. North Dakota does not have a requirement for operating authority while traveling in intrastate commerce. For more information or to apply for interstate operating authority go to <https://www.fmcsa.dot.gov/registration>.

### **Unified Carrier Registration (UCR)**

Unified Carrier Registration is an agreement among states, set up by Congress, governing the collection and distribution of registration information and UCR fees paid to states by motor carriers, private motor carriers, brokers, freight forwarders, and leasing companies. The fees collected support state motor carrier safety activities. All entities

listed above that plan to operate in interstate or international commerce, are required to register and pay UCR fees. To register and pay fees, go to <https://www.ucr.gov>.

### **Insurance**

In addition to vehicle liability insurance that is required by all vehicles operating on public roads, certain Commercial Motor Vehicles are required to maintain minimum levels of financial responsibility. Motor carriers operating motor vehicles transporting property for-hire in foreign or interstate commerce or hazardous materials, hazardous substances, or hazardous wastes transported in foreign, interstate or intrastate commerce are required to maintain these minimum levels. Passenger carriers operating in foreign or interstate commerce are also required to maintain minimum levels of insurance based on the number of passengers carried. To determine the required insurance levels for your operation, visit Part 387.9 for property carriers and Part 387.33 for passenger carriers at <https://www.fmcsa.dot.gov/regulations>.

## **SECTION 08: HAZARDOUS MATERIALS TRANSPORTATION**

The interstate and intrastate transportation of Hazardous Materials (HM) is regulated by 49 CFR Parts 107, 171-180. North Dakota adopted these regulations by reference. These regulations cover hazard classification, hazard communications, packaging, shipping and transportation, security, incident reporting, load securement, loading and unloading, hazard segregation, and employee training. 49 CFR Parts 392 and 397 contain additional requirements for parking, attendance, and routing of hazardous materials as well as driver requirements at railroad crossings. Additional information regarding the transportation of Hazardous Materials can be found at <https://www.phmsa.dot.gov> or <https://www.fmcsa.dot.gov/regulations/hazardous-materials/how-comply-federal-hazardous-materials-regulations>.

### **USDOT Hazardous Materials Registration**

Any person who offers for transportation, or transports in commerce, hazardous materials requiring placards or hazardous materials in a bulk package having a capacity equal to or greater than 3,500 gallons for a liquid or gas, or more than 468 cubic feet for a solid, must register with the USDOT Pipeline and Hazardous Materials Safety Administration. A copy of the registration certificate or another document bearing the registration number, identified by "U.S DOT Hazmat Reg No" must be carried on board each truck or truck-tractor and made available to enforcement personnel upon request. For more information on registration, contact PHMSA at 1-800-467-4922.

### **USDOT Hazardous Materials Safety Permit**

In addition to HM registration, the transportation of some HM requires the motor carrier to obtain a HM Safety Permit. The transportation of any of the following materials will require a HM Safety Permit:

- Highway route-controlled quantity of radioactive material
- More than 55 lbs. net weight of Division 1.1, 1.2 or 1.3 explosive material

- An amount of Division 1.5 explosive material requiring placards
- More than 1 liter per package of a Hazard Zone A material poisonous by inhalation
- A bulk package of a Hazard Zone B material poisonous by inhalation
- A package having a capacity of 3,500 gallons or more of a Hazard Zone C or D material poisonous by inhalation
- A shipment of methane, natural gas or other compressed or refrigerated liquified gas with a methane content of at least 85 percent in a bulk package having a capacity of 3,500 gallons or more

To qualify for a HM Safety Permit, the motor carrier must have:

- Satisfactory Safety Rating
- Satisfactory security program
- Crash rate in the top 30 percent of national average
- Driver, Vehicle, HM, or total out of-service rate in the top 30 percent of the national average

For more information, or apply for a HM Safety Permit, visit:

<https://www.fmcsa.dot.gov/regulations/hazardous-materials/hazardous-materials-safety-permit-program-hmsp>.

### **Hazardous Materials Communication**

All Transportation of hazardous materials, unless meeting an exemption in the regulation, must have a shipping paper that accompanies the load. The shipping paper must be completed in accordance with Part 172 of the regulations and maintained in a visible location within the driver's reach, while restrained by the lap belt, or in the driver's side door pocket. If multiple shipping papers are available for the load, the document containing HM must appear first or be tabbed for clear identification. All packaging must be marked and labeled according to regulation and vehicles marked and placarded according to regulation.

### **Emergency Response**

All vehicles transporting hazardous materials must maintain emergency response information for the material being transported. This requirement can be met by:

- Printing it on the shipping paper
- In a separate document correctly identifying the material (e.g. SDS)
- In a separate document that cross references the hazardous material on the shipping paper with the emergency response information (e.g. Emergency Response Guidebook)

The emergency response information must be maintained in the same manner as prescribed for shipping papers.

## **Employee Training**

HM employees must be trained in accordance with the regulations. At a minimum, HM employees must receive training on:

- General awareness/familiarization
- Function-specific
- Safety
- Security awareness
- In-depth security, if applicable

The initial training must be conducted within 90 days of hire, or the employee becomes a HM employee. The employee must also receive recurrent training at least once every three years. If in-depth security training is required, the employee must also receive recurrent training on the motor carrier's security plan within 90 days of a revision to the plan. Additional information on training can be found at:

<https://www.fmcsa.dot.gov/regulations/hazardous-materials/training-education> or <https://www.phmsa.dot.gov/training/hazmat/hazardous-materials-outreach-engagement>.

## **Hazardous Materials Security Plan**

Motor Carriers that transport certain hazardous materials must develop a HM Security Plan. The plan must address:

- Personnel security
- Unauthorized access
- En-route security

The plan must also identify job title of management official responsible for it, identify duties for each department responsible for implementing the plan, and a plan for training HM employees in the plan. Specific measures within the plan should vary commensurate with the level of threat at a particular time. The security plan must be reviewed on annual basis and revised as needed. Regulation requirements on Security Plans can be found at 49 CFR 172.800 and 172.802.

## **Materials of Trade**

Materials of Trade exception is a common exception used by private motor carriers transporting hazardous materials. The transportation of gasoline or fuel for equipment and/or compressed gas cylinders on repair vehicles are the most common types of materials of trade. Flammable liquids can be transported in a container with a maximum capacity of 8 gallons while compressed gas cylinders can individually weigh a maximum of 220 lbs. The aggregate weight of all materials of trade transported on a vehicle may not exceed 440 lbs. Visit 49 CFR 173.6 for materials covered under the exception and requirements to meet the exception. If exception is met, the transportation is completely exempted from the Hazardous Materials Regulations, except as provided in 49 CFR 173.6.

## ND Permits

North Dakota does not require a state permit for hazardous materials transportation. Transporters of hazardous waste must have a permit from the ND Health Department at 701-328-5150.

## SECTION 09: VEHICLE REGISTRATION AND FUEL TAX

### Registration

North Dakota is a member of the International Registration Plan (IRP). IRP is a one-cab card registration system for interstate motor carriers. Commercial motor carriers register their vehicles for other states through their base state. For more information regarding IRP, please call the ND Dept. of Transportation at 701-328-1287.

Motor carriers who do not travel out of state must obtain commercial vehicle registration. To register and license a vehicle, contact the Motor Vehicle Division located in the Transportation Building on the Capitol Grounds in Bismarck (701-328-2725) or one of the Motor Vehicle Branch Offices listed below.

Motor carriers opening a new IRP account or renewing an existing account must contact the Motor Carrier Services Section with the Motor Vehicle Division in Bismarck (701-328-1287).

Limited service is available at the North Dakota Motor Vehicle Division's branch offices located at Dickinson, Fargo, Grand Forks, Minot, and Rugby. This service is limited to additions and deletions when replacing vehicles or adding new vehicles to an **existing currently licensed** account, weight increases, duplicate plates and cab cards, and obtaining additional IFTA decals. **There is a service fee** in addition to the required state fees as the branch offices are independent businesses.

### Motor Vehicle Branch Offices

Location	Address	Telephone
Bottineau	County Courthouse, 314 5 <sup>th</sup> Street W Suite 11	701-228-2035
Bowman	County Courthouse, 104 1 <sup>st</sup> Street NW, Suite 2	701-523-3665
Devils Lake	Chamber Office, 208 W Highway 2	701-662-8966
Dickinson	1173 3rd Ave W, Suite 37B	701-456-5640
Ellendale	101 1 <sup>st</sup> St South	701-349-2045
Fargo	745 45 <sup>th</sup> St South, Suite H	701-282-5070
Grafton	Chamber Office, 432 Hill Avenue	701-352-0781
Grand Forks	1726 S Washington Street, Suite R	701-772-1390
Jamestown	Chamber Office, 120 2 <sup>nd</sup> Street SE	701-952-0852
Langdon	County Courthouse, 901 3 <sup>rd</sup> Street, Suite 14	701-256-2511
Linton	County Courthouse, 100 4 <sup>th</sup> Street NW	701-254-4802
Lisbon	County Courthouse, 204 5 <sup>th</sup> Avenue W	701-683-6152
Minot	1600 2 <sup>nd</sup> Avenue SW, Suite 5	701-857-8221
Valley City	253 Central Ave N Ste 101	701-845-3812
Wahpeton	1505 11 <sup>th</sup> St North	701-642-2652

Location	Address	Telephone
Watford City	County Courthouse, 201 5 <sup>th</sup> Street NW, Ste 510	701-444-3616
Williston	206 East Broadway	701-713-3410

### Fuel Licensing (IFTA)

If you travel outside North Dakota, you must obtain a fuel permit or “IFTA” license. The International Fuel Tax Agreement is an agreement among states to simplify the reporting of fuel use taxes by **interstate motor carriers**.

Vehicles subject to IFTA:

- CMVs with 2 axles exceeding 26,000 pounds GVW
- CMVs with 3 axles or more regardless of weight
- CMV Combinations exceeding 26,000 pounds GVW
- Operators whose name on license do not match the company that has control of the truck

Contact the Motor Carrier Services Section of the NDDOT Motor Vehicle Division in Bismarck at 701-328-1287 for additional information or to determine the appropriate licensing for your operation. IFTA is also available to purchase online at [www.dot.nd.gov](http://www.dot.nd.gov). Click on Motor Carrier Systems.

### Free Zone/Reciprocity Agreements

North Dakota has entered into reciprocity agreements with bordering states regarding registration requirements. These agreements allow these border state vehicles to travel a limited distance into North Dakota without obtaining IRP or IFTA. For detailed information on reciprocity agreement boundaries, visit <https://www.nd.gov/ndhp/reciprocity-agreements>.

Jurisdiction	Registration	Fuel Tax
Minnesota	<ul style="list-style-type: none"> <li>• All interstate vehicles within 20 miles of MN border</li> <li>• Farm registered vehicles hauling own product may travel eastern half of ND in inter or intra state</li> </ul>	<ul style="list-style-type: none"> <li>• Farm registered vehicles hauling own product</li> </ul>
South Dakota	<ul style="list-style-type: none"> <li>• All interstate vehicles within 20 miles of SD border</li> <li>• Farm registered vehicles hauling own product may travel in inter or intra within 20 miles of SD border</li> </ul>	<ul style="list-style-type: none"> <li>• Farm registered vehicles hauling own product</li> </ul>
Montana	<ul style="list-style-type: none"> <li>• Farm registered vehicles hauling own product operating interstate can travel anywhere in ND</li> </ul>	No reciprocity
Manitoba	<ul style="list-style-type: none"> <li>• Farm registered vehicles hauling own product in inter or</li> </ul>	No reciprocity

Jurisdiction	Registration	Fuel Tax
	intra state within 20 miles of border	
Saskatchewan	<ul style="list-style-type: none"> <li>• All interstate vehicles within 20 miles of SK border</li> <li>• Farm registered vehicles hauling own product in interstate commerce can travel anywhere in ND</li> </ul>	No reciprocity

### Roadside Truck Clearance Procedure

1. All vehicles over 10,000 pounds gross vehicle weight rating are subject to safety inspection at fixed or roadside locations.
2. All vehicles within the state are subject to having their weight verified on portables or fixed scales.
3. During safety or weight inspections, random vehicle and record of duty status checks are conducted. Vehicles and/or operators found with an out-of-service violation will be placed out of service.
4. Truckers not in possession of valid North Dakota permits or licenses will be required to obtain these documents before being allowed to proceed. A fee will be charged for those permits not in the driver's possession and a receipt issued. Drivers are subject to receiving a citation for operating without the proper permits or licenses.
5. Actual weights will be checked against the licensed weight of the vehicle. 72-hour trip permits are required if the licensed weight of out-of-state trucks is exceeded.
6. Interstate trucks are required to have an IRP cab card in possession, with North Dakota listed, or purchase a \$20 72-hour trip permit.
7. Interstate trucks are required to display IFTA credentials or purchase a \$15 fuel permit.
8. Trip and fuel permits are available to nonresident carriers online at [www.statepatrol.nd.gov/e-permits](http://www.statepatrol.nd.gov/e-permits)

### SECTION 10: VEHICLE SIZE AND WEIGHT

Vehicles and load movements in North Dakota shall comply with the following size and weight limits. Non-reducible loads and/or vehicles that exceed the limits shall obtain a special permit. The permit, a legible electronic or paper copy, must be carried in the vehicle at the time of the movement (see Permits for Oversize and/or Overweight Vehicles, page 43).

#### Legal Width

8 feet 6 inches on all highways.

Exceptions:

- Construction and building contractors' equipment and vehicles used to move such equipment, which does not exceed ten feet in width when being moved by contractors or resident carriers. Nighttime travel is allowed provided moving equipment is properly lighted.

- Implements of husbandry being moved by **resident** farmers, ranchers, dealers, manufacturers, or government entities between sunrise and sunset. Nighttime travel is allowed provided the implements are properly lighted and not being moved on the interstate highway system.
- Hay in the stack being moved along the extreme right edge of a roadway between sunrise and sunset by someone other than a commercial mover. Commercial hay movers, over width self-propelled fertilizer spreaders, over width self-propelled agricultural chemical applicators, hay grinders, forage harvesters, and grain cleaners if the owners have seasonal permits.
- All vehicles exempt from width limitations are subject to safety rules adopted by the Highway Patrol.

### Legal Height

14 feet whether loaded or unloaded, except that such height limitation shall not affect any present structure such as bridges and underpasses that are not 14 feet in height.

Exception:

- Implements of husbandry may not exceed 15 feet 6 inches in height when being moved by **resident** farmers, ranchers, dealers, or manufacturers between sunrise and sunset. The distance traveled cannot exceed 60 miles and travel on the interstate system is not allowed.

### Vertical Clearances

The North Dakota Department of Transportation Bridge Vertical Clearance List is available at:

[www.dot.nd.gov/driver/commercial/bridge-vertical-clearance](http://www.dot.nd.gov/driver/commercial/bridge-vertical-clearance)

#### 14 Feet or Less

Disclaimer: The vertical dimensions listed are the maximum distances under ideal conditions. **THERE IS NO ALLOWANCE IN THESE DIMENSIONS FOR SNOW AND ICE ACCUMULATIONS, ETC.** At all structure underpass locations having depressed grades, the clearance given is based on a trailer length overall of 40 feet.

The dimensions are furnished on an information basis only. **THE DEPARTMENT OF TRANSPORTATION IS NOT RESPONSIBLE FOR CHANGES IN CONDITIONS.** It is the permit holders' responsibility to verify the clearances on the route traveled.

### Clearances on State Highways

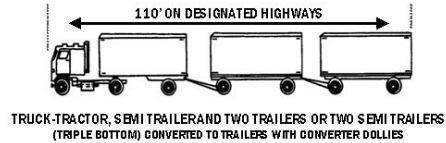
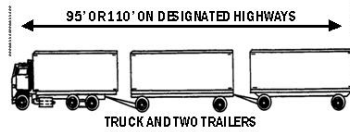
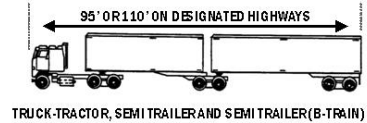
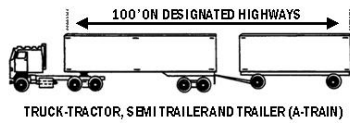
Mile Point	Highway # - Structure	Direction	Clearance
157.424	ND #8 – BNRR – Stanley, Main St	Underpass	13' 07"
002.021	US10 – BNRR– Casselton, 1 W of ND 18	Underpass	13' 04"
114.982	ND #14 – BNRR– Towner	Underpass	13' 02"
070.811	ND #22 – BNRR– Dickinson	Underpass	13' 05"

### Clearance on City Streets

Mile Point	City Street - Structure	Direction	Clearance
900.729	Bismarck – Bus. US 83/9 <sup>th</sup> St. – BNRR UP	Northbound	13’ 08”
903.335	Bismarck – Bus. US 83/7 <sup>th</sup> St. – BNRR UP	Southbound	13’ 05”
City	Jamestown – 4 <sup>th</sup> Ave. NE/BNRR UP	Underpass	12’ 07”
926.783	Fargo – Bus. US 81/Main Ave. & 10 <sup>th</sup> , BNRR UP	Northbound	13’ 02”
927.092	Fargo – Bus. US 81/10 <sup>th</sup> St. BNRR UP	Northbound	13’ 07”
927.132	Fargo – Bus. US 81/ University Dr. & 7 <sup>th</sup> Ave N– BNRR UP	Southbound	13’ 10”
931.984	Fargo – Bus. US 81/University Dr. – BNRR UP	Southbound	13’ 07”
City	Access Rd & BNSF 2d St, N of Main - Fargo		14’ 00”
City	CP Railway, 1 E of Valley City		14’ 00”
City	BNSF Railroad CR 19, West Fargo		13’ 10”
City	BNSF Railroad Center St, West Fargo		13’ 06”
060.457	State Ave Separation – I94, Dickinson	Under clearance	13’ 07”

### Legal Length

- A single unit vehicle with two or more axles including the load thereon shall not exceed a length of 50 feet.
- The length of a trailer or semitrailer including the load thereon **may not exceed 53 feet** except that trailers and semitrailers titled and registered in North Dakota prior to July 1, 1987, and towed vehicles may not exceed 60 feet.
- A combination of two, three, and four units including the load thereon **shall not exceed an overall length of 75 feet** on non-designated highways.
  - Three- and four-unit combinations are subject to safety rules adopted by the DOT Director.
- A combination of two, three, or four units including the load thereon may exceed 75 feet in overall length but **shall not exceed 95 feet or 110 feet** when traveling on four-lane divided highways and state highways designated by the DOT director and local authorities as to highways under their respective jurisdictions
  - All combinations are subject to safety rules adopted by the DOT director.
  - Authorized vehicle combinations exceeding 75 feet in overall length shall operate on designated highways as shown on the Designated Highway Map
  - Authorized combinations include the following:
    - Any combination of two units
    - Truck-tractor/semitrailer/trailer
    - Truck-tractor/semitrailer/semitrailer
    - Truck/trailer/trailer
    - Truck must be properly registered and designed to legally carry a gross weight of more than 24,000 pounds.
    - Both trailers and semitrailers must be designed to carry gross weights of more than 24,000 pounds.
    - Truck-tractor/semitrailer/trailer/trailer



### Exceptions:

- Building moving equipment
- Emergency tow trucks towing disabled lawful combinations of vehicles to a nearby repair facility
- Vehicles and equipment owned and operated by the armed forces of the United States or the National Guard of this state
- Structural material of telephone, power, and telegraph companies.
- Truck-mounted haystack moving equipment provided such equipment does not exceed a length of 56 feet.
- A truck-tractor and semitrailer and trailer operated on the interstate highway system or parts of the national network designated by the NDDOT director.
  - The cargo carrying length shall not exceed 100 feet on a semitrailer and trailer or semitrailer converted to a trailer by use of a converter dolly and fifth wheel when the power unit is a truck-tractor.

### Legal Weight

#### North Dakota Weight Computation Formula

Computed to nearest foot by the weight formula in Section 39-12-05 and Section 39-12-05.3 of the North Dakota Century Code.

$$W = 500 \left( \frac{LN}{N-1} + 12N + 36 \right)$$

W = Maximum weight in pounds on any group of two or more axles

L = Distance in feet between extremes of any group of two or more consecutive axles.

N = Number of axles in group under consideration

### North Dakota Electronic Truck Weight Calculator

<https://dotsc.ugpti.ndsu.edu/TWC/>

Distance in feet between the extremes of any groups of 2 or more consecutive axles	2 Axles	3 Axles	4 Axles	5 Axles	6 Axles	7 Axles	8 Axles	9 Axles
4	34,000	/	/	/	/	/	/	/

<b>Distance in feet between the extremes of any groups of 2 or more consecutive axles</b>	<b>2 Axles</b>	<b>3 Axles</b>	<b>4 Axles</b>	<b>5 Axles</b>	<b>6 Axles</b>	<b>7 Axles</b>	<b>8 Axles</b>	<b>9 Axles</b>
5	34,000	/	/	/	/	/	/	/
6	34,000	/	/	/	/	/	/	/
7	34,000	34,000	/	/	/	/	/	/
8	38,000	42,000	/	/	/	/	/	/
9	40,000	43,000	/	/	/	/	/	/
10	/	43,500	/	/	/	/	/	/
11	/	44,500	/	/	/	/	/	/
12	/	45,000	50,000	/	/	/	/	/
13	/	46,000	50,500	/	/	/	/	/
14	/	43,000	51,500	57,000	/	/	/	/
15	/	43,500	52,000	57,500	/	/	/	/
16	/	44,500	52,500	58,000	/	/	/	/
17	/	45,000	53,500	58,500	/	/	/	/
18	/	46,000	54,000	59,500	/	/	/	/
19	/	50,500	54,500	60,000	/	/	/	/
20	/	51,000	55,500	60,500	66,000	/	/	/
21	/	52,000	56,000	61,000	66,500	/	/	/
22	/	52,500	56,500	62,000	67,000	/	/	/
23	/	53,500	57,500	62,500	68,000	/	/	/
24	/	54,000	58,000	63,000	68,500	74,000	/	/
25	/	55,000	58,500	63,500	69,000	74,500	/	/
26	/	55,500	59,500	64,500	69,500	75,000	/	/
27	/	56,500	60,000	65,000	70,000	76,000	/	/
28	/	57,000	60,500	65,500	71,000	76,500	82,000	/
29	/	58,000	61,500	66,000	71,500	77,000	82,500	/
30	/	58,500	62,000	67,000	72,000	77,500	83,000	/
31	/	59,500	62,500	67,500	72,500	78,000	84,000	/
32	/	60,000	63,500	68,000	73,000	78,500	84,500	90,000
33	/	/	64,000	68,500	74,000	79,500	85,000	90,500
34	/	/	64,500	69,500	74,500	80,000	85,500	91,000
35	/	/	65,500	70,000	75,000	80,500	86,000	91,500
36	/	/	66,000	70,500	75,500	81,000	86,500	92,500
37	/	/	66,500	71,000	76,000	81,500	87,000	93,000
38	/	/	67,500	72,000	77,000	82,000	87,500	93,500
39	/	/	68,000	72,500	77,500	83,000	88,500	94,000
40	/	/	68,500	73,000	78,000	83,500	89,000	94,500
41	/	/	69,500	73,500	78,500	84,000	89,500	95,000
42	/	/	70,000	74,500	79,000	84,500	90,000	95,500
43	/	/	70,500	75,000	80,000	85,000	90,500	96,000
44	/	/	71,500	75,500	80,500	85,500	91,000	97,000
45	/	/	72,000	76,000	81,000	86,500	91,500	97,500
46	/	/	72,500	77,000	81,500	87,000	92,500	98,000

<b>Distance in feet between the extremes of any groups of 2 or more consecutive axles</b>	<b>2 Axles</b>	<b>3 Axles</b>	<b>4 Axles</b>	<b>5 Axles</b>	<b>6 Axles</b>	<b>7 Axles</b>	<b>8 Axles</b>	<b>9 Axles</b>
47	/	/	73,500	77,500	82,000	87,500	93,000	98,500
48	/	/	74,000	78,000	83,000	88,000	93,500	99,000
49	/	/	74,500	78,500	83,500	88,500	94,000	99,500
50	/	/	75,500	79,500	84,000	89,000	94,500	100,000
51	/	/	76,000	80,000	84,500	90,000	95,000	100,500
52	/	/	76,500	80,500	85,000	90,500	95,500	101,500
53	/	/	77,500	81,000	86,000	91,000	96,500	102,000
54	/	/	78,000	82,000	86,500	91,500	97,000	102,500
55	/	/	78,500	82,500	87,000	92,000	97,500	103,000
56	/	/	79,500	83,000	87,500	92,500	98,000	103,500
57	/	/	80,000	83,500	88,000	93,500	98,500	104,000
58	/	/	/	84,500	89,000	94,000	99,000	104,500
59	/	/	/	85,000	89,500	94,500	99,500	105,000
60	/	/	/	85,500	90,000	95,000	100,500	105,500
61	/	/	/	86,000	90,500	95,500	101,000	/
62	/	/	/	87,000	91,000	96,000	101,500	/
63	/	/	/	87,500	92,000	97,000	102,000	/
64	/	/	/	88,000	92,500	97,500	102,500	/
65	/	/	/	88,500	93,000	98,000	103,000	/
66	/	/	/	89,500	93,500	98,500	103,500	/
67	/	/	/	90,000	94,000	99,000	104,500	/
68	/	/	/	90,500	95,000	99,500	105,000	/
69	/	/	/	91,000	95,500	100,500	105,500	/
70	/	/	/	92,000	96,000	101,000	/	/
71	/	/	/	92,500	96,500	101,500	/	/
72	/	/	/	93,000	97,000	102,000	/	/
73	/	/	/	93,500	98,000	102,500	/	/
74	/	/	/	94,500	98,500	103,000	/	/
75	/	/	/	95,000	99,000	104,000	/	/
76	/	/	/	95,500	99,500	104,500	/	/
77	/	/	/	96,000	100,000	105,000	/	/
78	/	/	/	97,000	101,000	105,500	/	/
79	/	/	/	97,500	101,500	/	/	/
80	/	/	/	98,000	102,000	/	/	/
81	/	/	/	98,500	102,500	/	/	/
82	/	/	/	99,500	103,000	/	/	/
83	/	/	/	100,000	104,000	/	/	/
84	/	/	/	/	104,500	/	/	/
85	/	/	/	/	105,000	/	/	/
86	/	/	/	/	105,500	/	/	/

## North Dakota Weight Limitations Chart

No single axle shall carry a gross weight in excess of 20,000 pounds. Axles spaced 40 inches or less apart are considered one axle. Axles spaced eight (8) feet apart or over are considered as individual axles. The gross weight of two individual axles may be restricted by the weight formula except that on highways other than the interstate, two axles spaced eight (8) feet apart or more may have a combined gross weight not to exceed 40,000 pounds. Spacing between axles shall be measured from axle center to axle center.

Axles spaced over 40 inches apart and less than eight (8) feet apart shall not carry a gross weight in excess of 19,000 pounds per axle. The gross weight on a tandem axle shall not exceed 34,000 pounds. The gross weight of three or more axles in a grouping is determined by the measurement between the extreme axle centers except that on highways other than the interstate, groupings of three or more axles may have a gross weight not to exceed 48,000 pounds. The weight per inch width of tire shall not exceed 550 pounds.

The weight on the steering axle shall be determined by the manufacturer's axle rating and shall not exceed 20,000 pounds when travel is on the interstate system or on Defense Highways. When travel is on Defense Highways, the load shall be for the US Department of Defense.

Metric tire sizes are converted to inches by dividing millimeters by 25.4. The width of tire for solid tires shall be the rim width. For pneumatic tires the width of tire shall be the manufacturer's width. The weight in pounds on any one wheel shall not exceed one-half the allowable axle weight. Dual tires are considered one (1) wheel.

### Tire Weight Per Inch

Tire Width	Single Axle (2 Tires)	Single Axle (4 Tires)	Tandem Axle (4 Tires)	Tandem Axle (8 Tires)	Triple Axle (6 Tires)	Triple Axle (12 Tires)
7 inch	7,700 lbs.	15,400 lbs.	15,400 lbs.	30,800 lbs.	23,100 lbs.	*DWF
7.50 inch	8,250 lbs.	16,500 lbs.	16,500 lbs.	33,000 lbs.	24,750 lbs.	*DWF
8 inch	8,800 lbs.	17,600 lbs.	17,600 lbs.	34,000 lbs.	26,400 lbs.	*DWF
8.25 inch	9,075 lbs.	18,150 lbs.	18,150 lbs.	34,000 lbs.	27,225 lbs.	*DWF
9 inch	9,900 lbs.	19,800 lbs.	19,800 lbs.	34,000 lbs.	29,700 lbs.	*DWF
10 inch	11,000 lbs.	20,000 lbs.	22,000 lbs.	34,000 lbs.	33,000 lbs.	*DWF
11 inch	12,100 lbs.	20,000 lbs.	24,200 lbs.	34,000 lbs.	*DWF	*DWF
12 inch	13,200 lbs.	20,000 lbs.	26,400 lbs.	34,000 lbs.	*DWF	*DWF
13 inch	14,300 lbs.	20,000 lbs.	28,600 lbs.	34,000 lbs.	*DWF	*DWF
14 inch	15,400 lbs.	20,000 lbs.	30,800 lbs.	34,000 lbs.	*DWF	*DWF
15 inch	16,500 lbs.	20,000 lbs.	33,000 lbs.	34,000 lbs.	*DWF	*DWF
16.5 inch	18,150 lbs.	20,000 lbs.	34,000 lbs.	34,000 lbs.	*DWF	*DWF
17.5 inch	19,250 lbs.	20,000 lbs.	34,000 lbs.	34,000 lbs.	*DWF	*DWF
18 inch	19,800 lbs.	20,000 lbs.	34,000 lbs.	34,000 lbs.	*DWF	*DWF

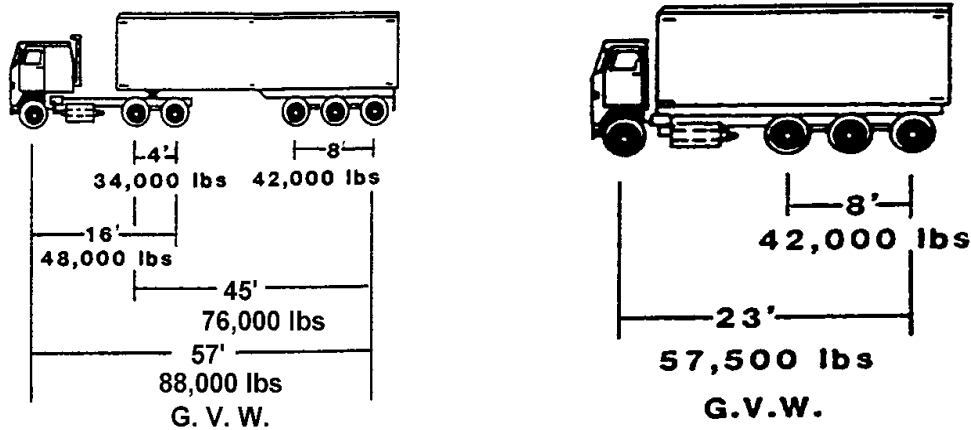
\*DWF-Determined by Weight Formula

### Examples of Metric Tire Conversion

<b>Metric Tire Size</b>	<b>Tire Width in Inches</b>	<b>Metric Tire Size</b>	<b>Tire Width in Inches</b>
245/75R22.5	9.6 inches	315/75R22.5	12.4 inches
255/70R22.5	10.0 inches	385/65R22.5	15.1 inches
265/75R22.5	10.4 inches	425/65R22.5	16.7 inches
275/80R22.5	10.8 inches	445/65R22.5	17.5 inches
285/75R24.5	11.2 inches	455/65R22.5	17.9 inches
295/75R22.5	11.6 inches	465/65R22.5	18.3 inches

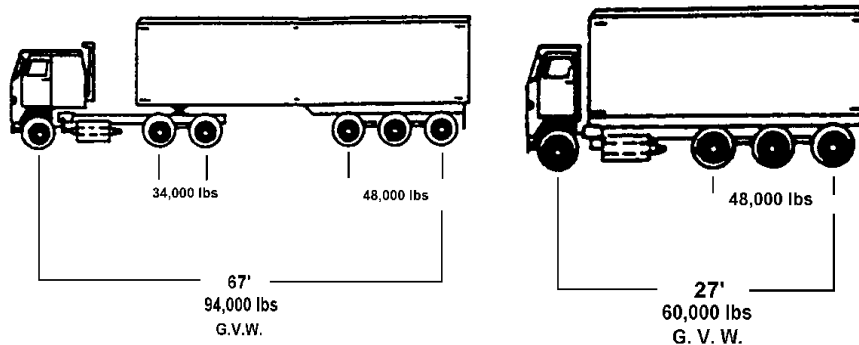
## Tire Size and Dimensional Definitions

### Examples of Bridge Formula Application on Interstate System



**Note:** On the Interstate System, the interior and exterior bridge measurement shall be used to determine the gross vehicle weight (GVW) of a vehicle or combination of vehicles. Maximum legal GVW is 80,000 pounds without a permit.

### Examples of Bridge Formula Application on the State Highway System



#### Notes:

- On highways other than the Interstate System, only the exterior bridge measurement shall be used to determine the gross vehicle weight of a vehicle or combination of vehicles.
- Groupings of three or more axles may have a gross weight not to exceed 48,000 pounds.
- Contact Highway Patrol for additional information on 4-axle straight trucks.

## Spring Load Restriction Weight Limit Classifications

In the spring of the year and on highways with load limits year around, highways may be restricted to lower axle weights. Signs will be erected and maintained showing the restriction in place. A map showing restricted state highways can be viewed at:

[www.dot.nd.gov/travel-info](http://www.dot.nd.gov/travel-info), click on Load Restrictions or call 701-328-2545 or 701-328-2621. Weight limits may vary on local roads and on the interstate system.

**North Dakota Department of Transportation Spring Load Restriction Classifications**

Class	Single Axle	Tandem Axle	3 Axles or More	Gross Vehicle Weight
Legal Weights Restriction	20,000 lbs.	34,000 lbs. – not to exceed 17,000 lbs. per axle	17,000 lbs. /axle. On divisible loads the gross weight of the axle grouping may not exceed 48,000 lbs.	Not to exceed 105,500 lbs.
8-Ton	Not to exceed 16,000 lbs.	Not to exceed 16,000 lbs. per axle	14,000 lbs. /axle. On divisible loads the gross weight of the axle grouping may not exceed 42,000 lbs.	Not to exceed 105,500 lbs.
7-Ton	Not to exceed 14,000 lbs.	Not to exceed 14,000 lbs. per axle	12,000 lbs. /axle. On divisible loads the gross weight of the axle grouping may not exceed 36,000 lbs.	Not to exceed 105,500 lbs.
6-Ton	Not to exceed 12,000 lbs.	Not to exceed 12,000 lbs. per axle	10,000 lbs. /axle. On divisible loads the gross weight of the axle grouping may not exceed 30,000 lbs.	Not to exceed 80,000 lbs.
5-Ton	Not to exceed 10,000 lbs.	Not to exceed 10,000 lbs. per axle	10,000 lbs. /axle. On divisible loads the gross weight of the axle grouping may not exceed 30,000 lbs.	Not to exceed 80,000 lbs.

**SECTION 11: PERMITS**

The following permits can be purchased online at [www.statepatrol.nd.gov/e-permits](http://www.statepatrol.nd.gov/e-permits). A brief explanation of each permit type is provided toward the bottom of the NDHP E-Permit webpage. Permits can also be obtained from the NDHP Permit office, a trooper or motor carrier inspector.

**Permits available online:**

- # annotates Single-Trip Permit
- + annotates Multi-Trip Permit

Over Dimensional Only Permit #	10% Harvest/Winter Permit/Durational +
Trip Permit (in lieu of registration) +	Approved Equipment +
Oversize/Overweight Permit #	Annual Over Width Permit +

Over Dimensional Only Permit #	10% Harvest/Winter Permit/Durational +
Fuel Permit	Longer Combination Vehicle (LCV) Permit #+
Interstate Permit #+	Mobile Home Permit #
Custom Combine Permit #+	Special Mobile Equipment Permit #
Bridge Length Permit #+	Work Over Rig Permit #
Seasonal +	Building Permit #
129,000 Primary Network #+	Annual Over Length Permit+

### **Non-Divisible Oversize and/or Overweight Vehicles or Load Movements Travel Restrictions and Safety Requirements**

**All** over-dimensional and overweight permits have specific conditions that apply to all types of loads. **All** over-dimensional vehicles and loads shall have minimum 18"x18" red or bright orange flags displayed on the traffic side, front and rear. When the overall length of an over-dimensional movement exceeds 75 feet, or width exceed 8'6" there shall be at least 12" X 60" OVERSIZE LOAD sign on the front and rear. All over-dimensional loads are restricted to travel from ½ hour before sunrise to ½ hour after sunset unless ten feet or less in width and legal on all other dimensions. View sunrise, sunset times: [https://aa.usno.navy.mil/data/RS\\_OneYear](https://aa.usno.navy.mil/data/RS_OneYear). Authorized nighttime movements shall be lighted with clearance lights visible from the front, rear, and side marking the outermost width of the vehicle/load. Rotating or flashing amber light(s) shall be mounted above the cab and visible from the front and rear for a distance not less than 500 feet under clear atmospheric conditions at night. There are weekend and holiday travel restrictions when the overall width of a load or vehicle exceeds 16 feet.

Manufactured housing units may not move when wind velocity exceeds 25 miles per hour. Overall width shall not exceed 18 feet. Oversize Load (12" X 60") signs are required on the front end of the towing vehicle and on the backside of the manufactured housing unit for all movements. Proof of insurance showing the amounts of coverage shall be required to obtain a permit.

Overweight vehicles or loads shall not move on flexible pavements when atmospheric temperature is 90 degrees F or above. Overweight permits will be issued for hauling ONLY single piece loads, and self-propelled non-reducible vehicles.

Pilot car(s) are required for all movements exceeding 14 feet 6 inches in width, 18 feet in height, and 120 feet in overall length. In lieu of the pilot car, **over width** movements exceeding 14 feet 6 inches, but not 16 feet may be equipped with lighted rotating or flashing amber light(s) that are visible from the front and rear at 500 feet. Load movements exceeding 18 feet in overall width are subject to an NDHP escort. Excessive overweight load movements are also subject to pilot cars and an official escort.

## Axle Weight Limitations

1. Axle weight limitations for vehicles and vehicle combinations (with permit).
  - a. Vehicles or vehicle combinations hauling non-divisible overweight loads cannot exceed the following maximum permit axle weights. (Single and tandem axle weights may not exceed 600 pounds per inch width of tire; groupings with three axles or more may not exceed 550 pounds per inch width of tire.) Metric tire sizes are converted to inches by dividing millimeters by 25.4

Tire Size	Single Axle 2 Tires	Single Axle 4 Tires	Tandem Axle 4 Tires	Tandem Axle 8 Tires	Triple Axle 12 Tires	Four Axles 16 Tires
8.2	9,840	19,680	19,680	39,360	54,120	*68,000
9	10,800	21,600	21,600	43,200	59,400	*68,000
10	12,000	*24,000	24,000	*45,000	*60,000	*68,000
11	13,200	*24,000	26,400	*45,000	*60,000	*68,000
12	14,400	*24,000	28,800	*45,000	*60,000	*68,000
13	15,600	*24,000	31,200	*45,000	*60,000	*68,000
14	16,800	*24,000	33,600	*45,000	*60,000	*68,000
15	18,000	*24,000	36,000	*45,000	*60,000	*68,000
16.5	19,800	*24,000	39,600	*45,000	*60,000	*68,000
17.5	21,000	*24,000	42,000	*45,000	*60,000	*68,000
18	21,600	*24,000	43,200	*45,000	*60,000	*68,000
20.5	24,000	24,000	45,000	45,000	60,000	68,000

**\*Maximums include all tolerances**

- b. For all axle groupings of four axles or more, no axle shall exceed **19,000** pounds per axle.
      1. On a group of five axles, the gross weight shall not exceed 85,000 pounds; and on a group of six axles, the gross weight shall not exceed 102,000 pounds.
2. Axle weight limitations for fixed load equipment mounted on truck-type chassis.
  - a. The following table contains the maximum permissible axle weights for fixed load equipment mounted on truck-type chassis such as truck cranes. (Single and tandem axle weights may not exceed 650 pounds per inch width of tire; groupings with three or more axles may not exceed 550 pounds per inch width of tire.) Metric tire sizes are converted to inches by dividing millimeters by 25.4. "m" denotes tire width in millimeters.

Tire Size	Single Axle 2 Tires	Single Axle 4 Tires	Tandem Axle 4 Tires	Tandem Axle 8 Tires	Triple Axle 6 Tires	Triple Axle 12 Tires	Four Axle 8 Tires	Four Axle 16 Tires
8.2	10,660	21,320	21,320	42,640	27,060	54,120	36,080	*68,000
9	11,700	23,400	23,400	46,800	29,700	59,400	39,600	*68,000

Tire Size	Single Axle 2 Tires	Single Axle 4 Tires	Tandem Axle 4 Tires	Tandem Axle 8 Tires	Triple Axle 6 Tires	Triple Axle 12 Tires	Four Axle 8 Tires	Four Axle 16 Tires
10	13,000	26,000	26,000	*50,000	33,000	*60,000	44,000	*68,000
11	14,300	28,600	28,600	*50,000	36,300	*60,000	48,400	*68,000
11.2 285m	14,560	29,120	29,120	*50,000	36,960	*60,000	49,280	*68,000
11.6 295m	15,080	*30,000	30,160	*50,000	38,280	*60,000	51,040	*68,000
12	15,600	*30,000	31,200	*50,000	39,600	*60,000	52,800	*68,000
12.4 315m	16,120	*30,000	32,240	*50,000	40,920	*60,000	54,560	*68,000
13	16,900	*30,000	33,800	*50,000	42,900	*60,000	57,200	*68,000
14	18,200	*30,000	36,400	*50,000	46,200	*60,000	61,600	*68,000
14.3 365m	18,590	*30,000	37,180	*50,000	47,190	*60,000	62,920	*68,000
15	19,500	*30,000	39,000	*50,000	49,500	*60,000	66,000	*68,000
15.1 385m	19,630	*30,000	39,260	*50,000	49,830	*60,000	66,440	*68,000
16.5	21,450	*30,000	42,900	*50,000	54,450	*60,000	*68,000	*68,000
16.7 425m	21,710	*30,000	43,420	*50,000	55,110	*60,000	*68,000	*68,000
17.5 445m	22,750	*30,000	45,500	*50,000	57,750	*60,000	*68,000	*68,000
18	23,400	*30,000	*46,800	*50,000	59,400	*60,000	*68,000	*68,000
20.5	26,650	*30,000	*46,800	*50,000	*60,000	*60,000	*68,000	*68,000

**\*Maximums include all tolerances**

- b. The rear axles of a truck crane and the dollies **mounted** behind the truck crane are considered one combination. If a boom trailer or boom dolly is towed behind a truck crane, the towed trailer is considered a separate combination **if the axle spacing is 8 feet or more** behind the truck crane. The gross weight of axles or axle groupings on trailers or dollies pulled behind truck cranes or other fixed load vehicles cannot exceed axle weight limitations as authorized for vehicle combinations in section 1.a.
  - c. For all axle groupings of four axles or more, no axle shall exceed **19,000** pounds per axle.
    - 1) On a group of five axles, the gross weight shall not exceed 85,000 pounds; and on a group of six axles, the gross weight shall not exceed 102,000 pounds
3. Axle weight limitations for Workover Service Rigs (**\$100 permit fee**). Workover service rigs manufactured January 1, 2011, or later must comply with axle weights table under 2.a.

- a. The following are the maximum permitted weights for single and tandem axle weights that may not exceed 695 pounds per inch width of tire, and groupings with three or more axles that may not exceed 550 pounds per inch width of tire. (Metric tire sizes are converted to inches by dividing millimeters by 25.4. "M" denotes tire width in millimeters.)

<b>Tire Size</b>	<b>Single Axle 2 Tires</b>	<b>Single Axle 4 Tires</b>	<b>Tandem Axle 4 Tires</b>	<b>Tandem Axle 8 Tires</b>	<b>Triple Axle 6 Tires</b>	<b>Triple Axle 12 Tires</b>	<b>Four Axle 16 Tires</b>
9	12,510	25,020	25,020	50,040	29,700	59,400	70,720
10	13,900	27,800	27,800	*52,000	33,000	*62,400	*70,720
11	15,290	30,580	30,580	*52,000	36,300	*62,400	*70,720
11.2 285 m	15,570	31,140	31,140	*52,000	36,975	*62,400	*70,720
11.6 295 m	16,125	*31,200	32,250	*52,000	38,300	*62,400	*70,720
12	16,680	*31,200	33,360	*52,000	39,600	*62,400	*70,720
12.4 315 m	17,236	*31,200	34,472	*52,000	40,925	*62,400	*70,720
13	18,070	*31,200	36,140	*52,000	42,900	*62,400	*70,720
14	19,460	*31,200	38,920	*52,000	46,200	*62,400	*70,720
14.3 365 m	19,877	*31,200	39,754	*52,000	47,190	*62,400	*70,720
15	20,850	*31,200	41,700	*52,000	49,500	*62,400	*70,720
15.1 385 m	20,989	*31,200	41,978	*52,000	49,830	*62,400	*70,720
16.5	22,935	*31,200	45,870	*52,000	54,450	*62,400	*70,720
16.7 425 m	23,215	*31,200	46,430	*52,000	55,125	*62,400	*70,720
17.5 445 m	24,325	*31,200	48,650	*52,000	57,750	*62,400	*70,720
18	25,020	*31,200	*48,672	*52,000	59,400	*62,400	*70,720
20.5	28,495	*31,200	*48,672	*52,000	*62,400	*62,400	*70,720
15	20,850	*31,200	41,700	*52,000	49,500	*62,400	*70,720
15.1 385 m	20,989	*31,200	41,978	*52,000	49,830	*62,400	*70,720
16.5	22,935	*31,200	45,870	*52,000	54,450	*62,400	*70,720
16.7 425 m	23,215	*31,200	46,430	*52,000	55,125	*62,400	*70,720
17.5 445 m	24,325	*31,200	48,650	*52,000	57,750	*62,400	*70,720
18	25,020	*31,200	*48,672	*52,000	59,400	*62,400	*70,720
20.5	28,495	*31,200	*48,672	*52,000	*62,400	*62,400	*70,720

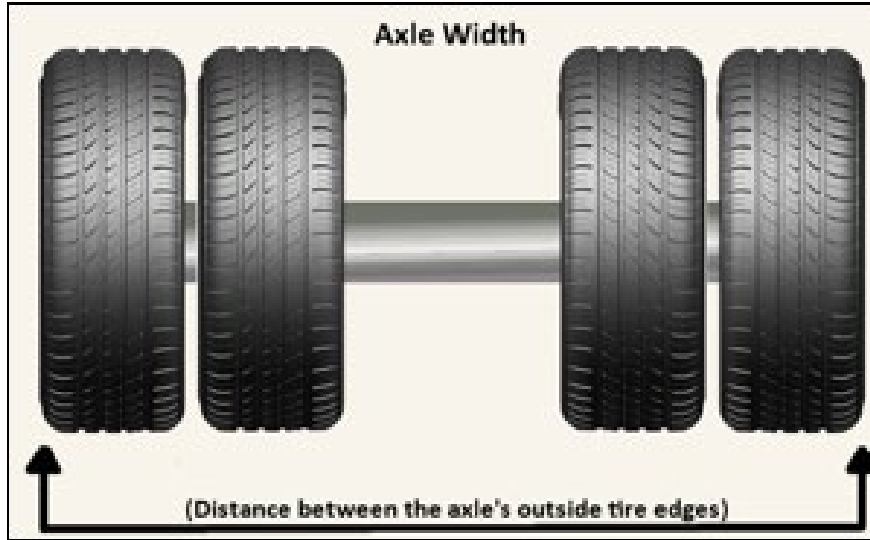
**\*Maximums include all tolerances**

- b. Routing is restricted by the Permit Bridge Load Limitations Map and the Weight Limitations Map. Approved Routes for GVW up to 250,000 lbs. Map and the Load Restriction Map [www.dot.nd.gov](http://www.dot.nd.gov). The Weight Limitations Map shows highways posted for 80,000 lbs. GVW. The Permit Bridge Load Limitations Map shows weight limitations for axle combinations when crossing over bridge structures. The Load Restriction Map details highways with reduced axle/gross vehicle weights. View DOT maps at [www.dot.nd.gov/driver/commercial/north-dakota-load-restrictions](http://www.dot.nd.gov/driver/commercial/north-dakota-load-restrictions).
- c. Road construction may restrict requested routes of travel. For road construction information visit the NDDOT Travel Information Map at [www.dot.nd.gov/travel-info](http://www.dot.nd.gov/travel-info) or contact the NDHP permit section
- d. Permits, a legible electronic or paper copy, must be in possession prior to starting any oversize/overweight vehicle or load movement. Permits may be obtained by visiting the NDHP website [www.statepatrol.nd.gov/e-permits](http://www.statepatrol.nd.gov/e-permits); contacting the Highway Patrol permit section at 701-328-2621; or by contacting a trooper or motor carrier inspector. The following information should be available to complete the permit application:
- (i) Company name, address, city, state, zip code, telephone number and email address (optional)
  - (ii) Description of power unit: Year, make, serial number, license number and state, ND registered GVW, tire width (from tire sidewall), number of axles, number of tires per axle, axle spacing, and track width (when applicable)
  - (iii) Description of towed unit: type of unit: Width, length, number of axles, number of tires per axle, tire width (from tire sidewall axle spacing, track widths (when applicable),
  - (iv) Axle weights and gross vehicle weight if overweight is requested.
  - (v) Start dates of travel, point of origin and destination, and desired route(s) to be traveled (optional).
  - (vi) A track width measurements application (load diagram) must be completed when:
    - 1) Vehicle or load movement in excess of 250,000 lbs. GVW.
    - 2) The exterior track width on an axle(s) with 2 tires is less than six feet
    - 3) The exterior track width on an axle(s) with 4 tires is less than 8 feet.
    - 4) Use a non-standard trailer (trunnion, side by side dollies, dual-lane, double trailer, platform, etc.) to haul a load.
    - 5) A track width measurements application is available at [www.statepatrol.nd.gov](http://www.statepatrol.nd.gov), click on Motor Carrier, Permit Application Forms, click on Diagram for Track Width Measurements.

Example of Tire Width from Sidewall: **275 mm**



## Example of Axle Track Width



## Permit Fees

- \$20 for each single trip permit (SFN 3507, Official Receipt/Permit) except for loads in excess of 150,000 pounds GVW and self-propelled special mobile equipment.
- Graduated fee for each single trip permit (SFN 3507, Official Receipt/Permit) exceeding 150,000 pounds gross vehicle weight:

<b>Gross Vehicle Weight</b>	<b>Permit Fee</b>
150,001-160,000 lbs.	\$30
160,001-170,000 lbs.	\$40
170,001-180,000 lbs.	\$50
180,001-190,000 lbs.	\$60
190,001 lbs. and over	\$70

- \$25 for each single trip permit for overweight self-propelled special mobile equipment (excludes workover rigs).
- \$100 for each single trip (SFN 3507 Receipt/Permit) for workover rigs
  - a. \$990 for an annual weight increase on a workover service rig that exceeds 670 pounds per inch of tire width on a single or tandem axle; exceeds 60,000 lbs. on a triple axle, or 68,000 lbs. on a quad axle (in addition to the single trip permit fee).
- \$150 for each annual over width Permit (SFN 3507 Official receipt/permit), authorizing movements up to 14 feet 6 inches in width.
- \$150 for each annual over length Permit (SFN 3507 Official receipt/permit), authorizing movements up to 120 feet in length.
- \$20 for each annual over width permit up to 14'6" in width for the movement of a noncommercial fish house trailer (SFN 3507 Official receipt/permit.)
- \$.05 per ton per mile is assessed upon the portion of GVW exceeding 200,000 pounds

- Ton mile fees when axle/gross vehicle weight exceed posted weight limits or during spring thaw (Policy 9-17)
- 129,000 Primary Network Permit is \$20 for a single trip, \$100 for a 30-day, \$700 for the calendar year.
- \$8 service/routing fee for each single trip permit (excludes trip and fuel.)
- Escort services provided by the NDHP are \$50 per hour and \$.50 per mile per Trooper.
- Official or publicly owned vehicles shall not be required to pay charges for permits. (No fee to commercial hauler doing charity hauling.)

### **Annual Over-width Permit**

An annual over-width permit will be issued in lieu of a single trip permits for vehicle and load movements that are over-width only. All other dimensions and weights must be legal. The permit authorizes over-width movements up to 14 feet 6 inches. The fee for an annual over-width permit is \$150.00. When the load is for the movement of a noncommercial fish house trailer, the fee is \$20. The permit is valid for 365 days or expires December 31.

### **Annual Over-length Permit**

An annual over-length permit will be issued in lieu of a single trip permits for vehicle and load movements that are over-length only. All other dimensions and weights must be legal. The permit authorizes over-length movements up to 120 feet. The fee for an annual over-width permit is \$150.00. The permit is valid for 365 or expires December 31.

### **Interstate Permit Policy**

Permits are required for legal size divisible load vehicles exceeding the federal gross vehicle weight cap of 80,000 pounds for movement on the interstate highway system. The GVW shall not exceed 105,500 pounds. All weights are restricted by the North Dakota Weight Limitations Chart and the North Dakota Axle Weight Limitations Chart.

The interstate permit (legible electronic or paper copy) must be in possession prior to travel on the interstate system in North Dakota. Single trip and annual interstate permits can be purchased online at [www.statepatrol.nd.gov/e-permits](http://www.statepatrol.nd.gov/e-permits); obtained from the Highway Patrol permit section; a NDHP Trooper or motor carrier inspector. The fee for a single trip permit is \$10 plus a \$8 service/routing. The single trip permit is valid for a one-way movement made within a 5-day period or multiple trips made in a 24-hour period. An annual interstate permit is \$300 and is valid 365 days or expires on December 31. Information required for an interstate permit can be obtained by visiting the NDHP website or contacting the Permit Office, 701-328-2621.

### **Seasonal Permit Policy**

Seasonal permits will be issued in lieu of single trip permits for commercial movement of over width haystacks, hay bales, forage harvesters, grain cleaners, hay grinders,

fertilizer spreaders and chemical applicators transported by another vehicle, and for commercial movement of over width and overweight self-propelled fertilizer spreaders and self-propelled agricultural chemical applicators. The seasonal permits are regulated under authority of section 39-12-04 and 39-12-05.3 of the North Dakota Century Code.

The permits can be purchased online at [www.statepatrol.nd.gov/e-permits](http://www.statepatrol.nd.gov/e-permits) or obtained from the Highway Patrol Permit Office, highway patrol troopers or motor carrier inspectors. The following information is needed to obtain a permit:

- Company or individual's name, address, city, state, zip code, telephone number, e-mail address.
- Description of power unit: type, unit number, year, make, license number and state (when applicable), and serial number (VIN – minimum 8 digits), ND registered gross vehicle weight (when applicable).
- Overall dimensions of vehicle or vehicle combination (width, height, length – whichever is applicable)
- Total number of axles for the power unit and towed unit (when applicable.)
- Number of tires per axle, tire width, and axle spacing.
- Insurance information, insurance company name, policy number, amount of coverage, and expiration date.
- The permit fee is \$50 per year.

## **SECTION 12: HIGHWAY USER INFORMATION**

### **Speed Limit Laws**

There are no differential speed limits in North Dakota, posted limits are the limits for all vehicles. All vehicles must also follow North Dakota Century Code sections 39-09-01 (Basic Rule - Penalty for Violation) and 39-09-01.1 (Care Required in Operating a Vehicle).

North Dakota speed limits:

Gravel, dirt, or loose surface highways	55 mph
Paved 2 lane highways not otherwise posted	55 mph
Paved 2 lane highways when posted	65 mph
Paved and divided multilane highways	70 mph
Interstate highways not otherwise posted	80 mph
Construction zones	As Posted
All roads within urban areas	As Posted

There is no minimum speed limit on any highway in the state of North Dakota.

### **Cell Phone Restrictions for Commercial Vehicle Drivers**

Commercial Motor Vehicle (CMV) drivers are restricted from holding a mobile telephone to conduct voice communication and dialing a mobile telephone by pressing more than a single button. Hands-free use is allowed via either a headset, in vehicle audio, or speakerphone function. CMV drivers are restricted from texting while driving. Texting while driving includes emailing, instant messaging, or accessing an internet page. In addition to Federal Regulation, North Dakota law prohibits texting while driving for all drivers except in emergency situations.

These restrictions apply to drivers of all CMVs in **interstate** commerce (operating across state lines); drivers of CMVs over 26,000 pounds in **intrastate** commerce (operating within ND); and all drivers of CMVs transporting a quantity of hazardous material that requires placarding.

### **Know your Vehicle's "NO ZONES"**

Many crashes between large trucks and cars take place in the No Zone. Be vigilant in watching out for vehicles entering the No Zone. The No Zone represents the danger areas, or blind spots, around trucks and buses where crashes are more likely to occur. Other drivers may not be aware of the size of a CMV's blind spots.

### **Passing**

When vehicles cut in too soon after passing, then abruptly slow down, a driver may be forced to compensate with little time or room to spare. Always look for escape routes as you drive if you need to swerve to miss a slowing vehicle that has just passed.

### **Backing Up**

When backing up try to use a spotter whenever possible. Sometimes vehicles will try to pass close behind you when you are performing this maneuver. A spotter can control your movement as well as alert the other driver.

### **Rear Blind Spots**

Trucks have a deep blind spot behind them. Watch for vehicles that are travelling too close and try to let them pass, if it is possible and safe.

### **Side Blind Spots**

Watch for vehicles moving into your side blind spots and make sure to take a second look before changing lanes to avoid a collision.

### **Wide Turns**

Signal your turn as early as possible so other vehicles know your intentions and allow you to complete your turn safely.

### **FRIENDLY REMINDERS:**

#### **Take Care of Yourself**

The most important part of a moving truck or bus is the driver! Get plenty of rest before getting behind the wheel. Eat well and stay fit. Hours of service violations are serious and can threaten your livelihood and even your life. Stay healthy and well rested, or don't drive.

#### **Always Maintain Your Vehicle**

Inspect your vehicle before each trip and check your brakes regularly. Learn how to inspect brakes and identify safety defects, and get them repaired before risking your life and others on the highway.

### **Slow Down in Work Zones**

Watch out for highway construction. Stay alert. Work zone crashes are more likely to happen during the day. Almost one-third of fatal crashes in work zones involve large trucks. Take your time going through work zones and give yourself plenty of room. Expect the unexpected!

### **Always Keep Your Distance**

Always leave enough space between you and the vehicle in front of you. If you hit someone from behind, you are typically considered in violation, regardless of the situation. Large trucks require more stopping distances than other vehicles. Take advantage of your driving height and anticipate braking situations.

### **Fasten Your Seat Belt**

Buckle up for safety and control. If you are in a crash, a seat belt can save your life and those around you. It will keep you in your seat and allow you to maintain control of your vehicle. A major cause of truck and bus driver fatalities involves being ejected from the vehicle. Wearing a seat belt is the single most effective choice all drivers can do to save lives and reduce injuries on roadways.

### **Always Drive Defensively**

Avoid aggressive drivers! It's estimated that each year two-thirds of all traffic fatalities are caused by aggressive driving behaviors. Keep your distance and maintain a safe speed: the only thing speed will increase is your chance for a crash.

### **Work to Help Your Industry**

Be the professional on the highway! Help stranded motorists; notify the ND Highway Patrol of crashes, unsafe drivers, unsafe roadway conditions, and other situations that can lead to crashes. Your performance on the highway can portray a positive image for your industry!

### **Tell Us What is Wrong**

If you know of unsafe situations, let us know. This includes unsafe companies, unsafe drivers, unsafe roadways, and unsafe vehicles. Call or email the NDHP to make the roads safer.

### **Studded Tire/Chain Laws**

Studded tires are permitted in North Dakota from October 15 to April 15. There is no mandatory chain law in North Dakota.

## **NORTH DAKOTA RESOURCES**

### Permits/ Vehicle Size and Weight

- Physical address: DOT Building, Capitol Grounds, Bismarck, ND, 701-328-2621
- Mailing address: NDHP Permits, 600 E. Boulevard Dept. 504, Bismarck, ND 58505
- Office Hours: Monday – Friday: 7:30 a.m. – 4:30 p.m. (Central Time),
- Purchase permits online at [www.statepatrol.nd.gov/e-permits](http://www.statepatrol.nd.gov/e-permits)

### ND State Patrol

- Website: [www.statepatrol.nd.gov](http://www.statepatrol.nd.gov)
- Statewide Phone Number: 701-328-2447
- Motor Carrier Operations: 701-328-5128

### ND Department of Transportation

- Capitol Grounds, Bismarck, ND
- Motor Carrier Services Section, 701-328-1287  
[www.dot.nd.gov/motor-vehicle/motor-carrier-services](http://www.dot.nd.gov/motor-vehicle/motor-carrier-services)
- International Fuel Tax Agreement (IFTA): 701-328-1287
- International Registration Plan (IRP): 701-328-1287
- Unified Carrier Registration (UCR): 701-328-1287; [www.ucr.gov](http://www.ucr.gov)
- Motor Vehicle Division (vehicle license): 701-328-2725
- Driver License Division (operator's license): 701-328-2601; [www.dot.nd.gov](http://www.dot.nd.gov)  
Office Hours: Monday – Friday: 7:30 a.m. – 4:30 p.m. (Central Time)

### Federal Motor Carrier Safety Administration

- Website: [www.fmcsa.dot.gov](http://www.fmcsa.dot.gov)
- Bismarck Office: 701-250-4346

Emergency Assistance & Report Every Drunk Driver Immediately (REDDI): 911

Winter Road Information: 511 or [travel.dot.nd.gov/](http://travel.dot.nd.gov/)

Areas not supported by 511: 1-866-696-3511

Construction/Load Restrictions: [travel.dot.nd.gov](http://travel.dot.nd.gov)

Smartphone App: NDRoads

Tourist Information: 1-800-HELLOND or [www.ndtourism.com](http://www.ndtourism.com)

**CMV Hazardous Weather Travel:** 49 CFR 392.14 states; “Extreme caution in the operation of a commercial motor vehicle shall be exercised when hazardous conditions, such as those caused by snow, ice, sleet, fog, mist, rain, dust, or smoke, adversely affect visibility or traction. Speed shall be reduced when such conditions exist. If conditions become sufficiently dangerous, the operation of the commercial motor vehicle shall be discontinued and shall not be resumed until the commercial motor vehicle can be safely operated.”