Lots of Legislative Issues in 2017 for County Highway Interests

Funding issues will once again be the top legislative priority for road superintendents in oil and gas counties, but there will be plenty of other topics to discuss as well.

Prospects for one-time road funding like the $1.1 billion Surge Bill (SB 2103) passed in 2015 are unlikely, but transportation funding will remain a priority. Outgoing Gov. Jack Dalrymple proposed substantial infrastructure funding in his budget proposal, including $725 million in ND Department of Transportation road projects. But county road interests will need to keep the pressure on by sharing information about ongoing unmet needs.

Beyond funding issues, other topics likely to be discussed by the 2017 Legislature include:

* Civil penalties for overweight truck violations. Under current law, counties receive the revenue from fines associated with violations of weight limits on county roads. That provision will sunset June 30, 2017, but legislation to extend it or make it permanent will be introduced.
* Truck weight harmonization. Legislation will be introduced to move truck weight limits to 129,000 pounds on major state highways. Proponents have emphasized the plan will not mean heavier axle weights, just longer trucks. But because heavier trucks will still impact bridges, and county roads generally do not have adequate turning radii to accommodate longer trucks, the Western Dakota Energy Association has opposed the idea.
* County road closures. Legislation will be introduced that would allow county commissioners to close roads due to inclement weather without first signing the road. Counties have had difficulty enforcing closures to keep heavy trucks off gravel roads during rain events.
* Dyed fuel use. County highway engineers would like to change the law to allow the use of dyed fuel in “dual-use” county vehicles that have both off-road construction and on-road maintenance functions.
* Right-of-Way Mowing Fees. The Central-Dakota Six County Region will promote legislation to allow county commissions or township supervisors to charge a fee to landowners and operators that fail to cut weeds and grass as required by law. Current law allows “actual costs” to be billed to the landowner, but the counties believe a higher fee will encourage compliance.