

Sixty-third
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1121

Introduced by

Transportation Committee

(At the request of the Department of Transportation)

1 A BILL for an Act to create and enact a new section to chapter 24-12 of the North Dakota
2 Century Code, relating to private actions impacting highway facilities or right of way.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1.** A new section to chapter 24-12 of the North Dakota Century Code is created
5 and enacted as follows:

6 **Impacts to highway facilities - Permission required.**

7 Notwithstanding any other laws to the contrary, a person owning or possessing land
8 adjoining or adjacent to highway facilities and right of way may not take any action affecting or
9 impacting the facility or right of way without proper coordination with and permission from the
10 person or governing body having jurisdiction and control over the facility or right of way. Any
11 action taken without permission which affects or impacts the facility or right of way must be
12 corrected by the person that owns or possesses the property within twenty days of receiving
13 written notice from the person or governing body having jurisdiction and control over the facility
14 or right of way. If the person that owns or possesses the property fails to correct the issue within
15 the twenty day time period, the person or governing body having jurisdiction and control over
16 the facility or right of way may correct the issue, and the total cost of the correction must be paid
17 by the person that owns or possesses the property.