

# HIGHWAYS, BRIDGES AND FERRIES

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## CHAPTER 221

H. B. No. 741

(Halcrow, Johnson, Anderson of Richland, Berntson)

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### COMMERCIAL FACILITIES ON CONTROLLED-ACCESS HIGHWAYS

#### AN ACT

Prohibiting the location on public-controlled land of commercial facilities for serving motor vehicle users of controlled-access facilities.

*Be It Enacted by the Legislative Assembly of the State of North Dakota:*

§ 1.) No automotive service station or other commercial establishment for serving motor vehicle users shall be constructed or located within the right-of-way of, or on publicly-owned or publicly-leased land acquired or used for or in connection with, a controlled-access facility.

Approved March 11, 1959.

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## CHAPTER 222

H. B. No. 811

(Lindberg)

(By request)

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### CONSTRUCTION OF UTILITY OR TRANSMISSION LINES

#### AN ACT

To prohibit the construction of any utility or transmission line within one hundred two feet of any state highway right-of-way, or within seventy-seven feet of any county highway right-of-way, exceptions, and enforcement, and providing for the acquiring of relocation right-of-way and declaring an emergency.

*Be It Enacted by the Legislative Assembly of the State of North Dakota:*

§ 1.) No person, firm or association shall construct any electrical supply or communication line, gas, oil or water or other pipe line parallel to and within one hundred two feet of the center line of any state highway right-of-way or within

seventy-seven feet of the center line of any county highway right-of-way without first obtaining the consent of the highway commissioner or board of county commissioners except that such prohibition shall not apply to highways or streets located within areas platted as town sites or additions and subdivisions thereof.

§ 2.) Any utility or transmission line hereinafter constructed contrary to the provisions of this Act shall be required to remove at their own expense when required to do so for purposes of highway expansion.

§ 3.) Whenever highway improvements require the relocation of utility facilities, and it is deemed to be in the best interest of the state, the highway commissioner or the board of county commissioners may acquire such right-of-way as may be required for such relocation, in the manner they are authorized by law to acquire highway right-of-way.

§ 4. **Emergency.)** This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval.

Approved March 17, 1959.

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## CHAPTER 223

S. B. No. 56

(Holand, Roen, Johnson, Gefreh, Wenstrom, Krause)  
(From LRC Study)

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### HIGHWAY DEPARTMENT BUILDING LIMITATION

#### AN ACT

Relating to the construction of certain buildings by the state highway department.

*Be It Enacted by the Legislative Assembly of the State of North Dakota:*

§ 1. **Highway Department; Building Limitation.)** The state highway department shall not construct or cause to be constructed any building costing in excess of ten thousand dollars unless the department has received a specific appropriation from the legislative assembly for such purpose.

Approved March 4, 1959.

## CHAPTER 224

S. B. No. 121

(Kee, Garaas, Morgan, Longmire, Wenstrom,  
(Gilbertson, Yunker, Paulson)

## HIGHWAY DEPARTMENT SHORT TERM FINANCING

## AN ACT

To provide highway department short term financing.

*Be It Enacted by the Legislative Assembly of the State of North Dakota:*

§ 1.) The North Dakota highway department is hereby authorized, whenever needed, to arrange, with any financing agency, state-owned or private, short term loans in the event that construction funds on hand are insufficient to meet current obligations and federal aid allocations due or to become due have not been received, and state apportionment of highway user revenues are due but have not been made. Short term financing as provided herein shall be in amounts no larger than can be repaid within six months from moneys known to be due and forthcoming from normal sources to the highway department. The rate of interest authorized to be paid by the highway department shall be at a rate not greater than three percent per annum, payments for such interest shall be made from present sources of revenue of the highway department. In no event may such short term financing be used in anticipation of increased federal aid highway grants or increased state highway user revenue funds, nor shall such loans be obligated for road construction that cannot be financed from known source of income.

Approved March 3, 1959.

## CHAPTER 225

S. B. No. 114  
(Kee and Luick)

## HIGHWAY MAINTENANCE RADIO NET

## AN ACT

To authorize the North Dakota state highway department to purchase, install and maintain a highway maintenance radio net.

*Be It Enacted by the Legislative Assembly of the State of North Dakota:*

§ 1.) The highway department is hereby authorized to purchase, install and maintain a state highway department radio communications network out of funds now and hereinafter designated as state highway maintenance funds. The highway department is further authorized to enter into an agreement with the federal civil defense administration for the purchase of radio equipment for said radio communications network on a 50-50 fund matching basis.

Approved March 4, 1959.

## CHAPTER 226

H. B. No. 626  
(Stockman and Poling)

## HIGHWAY RIGHT-OF-WAY

## AN ACT

To provide for the clearing of title record of ownership of state highway system right-of-way held in name of political subdivisions, departments or agencies.

*Be It Enacted by the Legislative Assembly of the State of North Dakota:*

§ 1.) Any political subdivision, department or agency of the state, holding an interest of record in any part of the right-of-way for any highway on the state highway system, shall upon application of the state highway commissioner, cause such interest to be conveyed to the state of North Dakota for the use and benefit of the state highway department and no consideration for such conveyance shall be required. This Act shall not be construed to require that lands or interest there-

in held by political subdivisions, departments or agencies of the state, for other than highway purposes, be conveyed to the state without full consideration.

Approved March 5, 1959.

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CHAPTER 227

S. B. No. 45

(Johnson, Luick, Saumur, Krause, Roen)  
(From LRC Study)

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DESIGNATION OF STATE HIGHWAY SYSTEM

AN ACT

To amend and reenact section 24-0102 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the designation of the state highway system.

*Be It Enacted by the Legislative Assembly of the State of North Dakota:*

**§ 1. Amendment.)** Section 24-0102 of the 1957 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

**24-0102. Designation of State Highway System.)** The commissioner is hereby vested with complete authority to designate, locate, create, and determine what roads, highways and streets shall constitute the state highway system, subject however, to such conditions, requirements and mileage limits as provided for by law. The total mileage of the state highway system may be increased by not to exceed one hundred miles in any one calendar year. In designating, locating, creating and determining the several routes of the state highway system, the commissioner shall take into account such factors as the actual or potential traffic volumes, the construction of by-passes and alternate routes, the conservation and development of the state's natural resources, the general economy of the state and communities, and the desirability of fitting such system into the general scheme of the nationwide network of highways.

Approved March 14, 1959.

## CHAPTER 228

S. B. No. 39

(Johnson, Luick, Saumur, Krause, Roen)  
(From LRC Study)ACQUISITION OF RIGHT-OF-WAY FOR STATE  
HIGHWAY SYSTEM

## AN ACT

To amend and reenact sections 24-0118, 24-0518 and 24-0404 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the cost and expense of acquisition of right-of-way for the state highway system, and declaring an emergency.

*Be It Enacted by the Legislative Assembly of the State of North Dakota:*

**§ 1. Amendment.)** Section 24-0118 of the 1957 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

**24-0118. Right-of-way and Materials May Be Acquired by Purchase or Eminent Domain.)** The commissioner, by order, on behalf of the state, and as part of the cost of constructing, reconstructing, widening, altering, changing, locating, relocating, aligning, realigning, or maintaining a state highway, or of providing a temporary road for public use, may purchase, acquire, take over, or condemn under the right and power of eminent domain, for the state, any and all lands in fee simple or such easements thereof which he shall deem necessary for present public use, either temporary or permanent, or which he may deem necessary for reasonable future public use, and to provide adequate drainage in the improvement, construction, reconstruction, widening, altering, changing, locating, relocating, aligning, realigning, or maintaining of a state highway, provided however, as to any and all lands acquired or taken for highway, road or street purposes, he shall not obtain any rights or interest in or to the oil, gas or fluid minerals on or underlying said lands. No county shall be required to participate in the cost, or expense of right-of-way for the state highway system. By the same means, he may secure any and all materials, including clay, gravel, sand, or rock, or the lands necessary to secure such material, and the necessary land or easements thereover, to provide ways and access thereto. He may acquire such land or materials notwithstanding that the title thereto may be vested in the state or any division thereof; provided, however, that no interests in gas, oil or fluid minerals shall be acquired by this procedure.

§ 2. **Amendment.)** Section 24-0518 of the 1957 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

**24-0518. Counties May Cooperate With Department; Procedure.)** Whenever any board of county commissioners of any county shall decide that any county road or roads in such county shall be improved or constructed in cooperation with the department, such board shall make written application to the commissioner for the improvement and construction thereof. If the commissioner shall approve such application, he, in writing, shall notify the said board of such approval, and at the same time shall submit to the said board an estimate of the cost of such improvement, including the cost of engineering, the purchase or acquirement of right-of-way, and all other expenses, and the share or portion thereof which such county shall bear. However, the commissioner shall not require any county to pay for the cost or expense of acquiring right-of-way for the state highway system. Whenever the board of county commissioners aforesaid shall elect to proceed with such improvement, the said board shall adopt a resolution signifying such election and in such resolution shall set aside out of such funds as are or may become available the amount necessary to pay the county's share of the cost of such improvement. Upon written demand of the commissioner, the board of county commissioners shall instruct and direct the county auditor by resolution to draw a warrant or warrants on the county treasurer in favor of the contractor, or of the department, for the county's share of such amount or amounts as may become due during the progress of such improvement. The county shall also draw additional warrants in favor of the department as may be necessary to reimburse it for the county's share of the cost of engineering and the acquisition of right-of-way. Such warrants shall be drawn by the county treasurer upon the certificate of the commissioner.

§ 3. **Amendment.)** Section 24-0404 of the 1957 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

**24-0404. Municipalities May Aid Federal Highway Construction.)** A municipality, through its governing body, wherever a federal aid highway is routed through such municipality, may participate in the financing, planning, construction and acquisition of right-of-way of said highway.

§ 4. **Emergency.)** This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval.

Approved February 6, 1959.

## CHAPTER 229

S. B. No. 162  
(Johnson and Baeverstad)  
(By request)

ACQUISITION OF PROPERTY FOR CONTROLLED-ACCESS  
FACILITIES

## AN ACT

To amend and reenact section 24-0132 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the acquisition of property for controlled-access facilities.

*Be It Enacted by the Legislative Assembly of the State of North Dakota:*

**§ 1. Amendment.)** Section 24-0132 of the 1957 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

**24-0132. Acquisition of Property and Property Rights.)** For the purposes of this Act (S.L. 1953, c. 177) the highway authorities of the state, or any county, or municipality may acquire private or public property and property rights for controlled-access facilities and service roads, including rights of access, air, view, lights, and such advertising rights outside of the right-of-way as may be determined by the commissioner to be in the public interest, by gift, devise, purchase, or condemnation in the same manner as such units are now or hereafter may be authorized by law to acquire such property or property rights in connection with highways and streets within their respective jurisdictions. All property rights acquired under the provisions of this Act (S.L. 1953, c. 177) shall be in fee simple, provided however, as to any and all lands acquired or taken for highway, road or street purposes, they shall not obtain any rights or interest in or to the oil, gas or fluid minerals underlying said lands. In connection with the acquisition of property or property rights for any controlled-access facility or portion thereof, or service road in connection therewith, the state, county, or municipal highway authority may, in its discretion, acquire an entire lot, block, or tract of land, if, by so doing, the interests of the public will be best served, even though said entire lot, block, or tract is not immediately needed for the right-of-way proper.

Approved March 9, 1959.

## CHAPTER 230

S. B. No. 120

(Kee, Garaas, Morgan, Longmire,  
(Wenstrom, Gilbertson, Yunker, Paulson)

## HIGHWAY DEPARTMENT BUDGETS

## AN ACT

To amend and reenact section 24-0209 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to highway department budgets.

*Be It Enacted by the Legislative Assembly of the State of North Dakota:*

**§ 1. Amendment.)** Section 24-0209 of the 1957 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

**24-0209. Departmental Budget Estimates; Departmental Budgets.)** Not later than the fifteenth day of May of each year, each head of a department, division, section, or activity of the department who may be directed and designated to do so by the commissioner, shall submit to the commissioner an outline of the work which should be undertaken by such department, division, section, or activity during the following fiscal year and the estimated expense thereof, in such detail as the commissioner may prescribe, together with such other cost data and information as the commissioner shall direct.

Not later than the thirtieth day of June of each year, the commissioner shall adopt a departmental budget wherein shall be allocated, set aside, and appropriated to each department, division, section, or activity of the department for the ensuing fiscal year, a definite and fixed sum or allowance in such amount and with such detail as the commissioner may elect for the use and purpose specified in such departmental budget. Nothing herein, however, shall prevent the commissioner from adding to, amending, revising, or reducing from time to time and as circumstances may warrant, such departmental budget.

Approved March 2, 1959.

## CHAPTER 231

H. B. No. 587  
(Leet, Overbo, Kelly)

## CONTRACTS REQUIRING ADVERTISING FOR BIDS

## AN ACT

To amend and reenact sections 24-0217 and 24-0223 of the 1957 Supplement to the North Dakota Revised Code of 1943 to increase the sums of highway contracts requiring advertising for bids and contract bonds.

*Be It Enacted by the Legislative Assembly of the State of North Dakota:*

**§ 1. Amendment.)** Section 24-0217 of the 1957 Supplement to the North Dakota Revised Code is hereby amended and reenacted to read as follows:

**\*24-0217. Contracts; Bids.)** Whenever the cost of any improvement or the purchase price of equipment or materials and supplies, exclusive of repairs to equipment, shall exceed the sum of two thousand dollars, the department shall proceed to advertise the same, request bids, and award such contracts in the manner provided in this chapter. Whenever any proposed contract, purchase, or work of the department shall be for a sum less than two thousand dollars, it shall be discretionary with the department whether the same shall be awarded after advertising for bids. The department shall award such contracts in the manner provided in this chapter, but where contracts are in excess of two thousand dollars, the department shall request bids from as many contractors, manufacturers, and dealers as can be requested conveniently.

**§ 2. Amendment.)** Section 24-0223 of the 1957 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

**24-0223. Award of Contracts: Bonds.)** Each and every contract in excess of the sum of five thousand dollars shall be awarded by the department to the responsible bidder submitting the lowest and best bid, but said department may reject all bids. If no satisfactory bid or bids shall be received, new bids may be called for. The successful bidder shall be required to furnish a suitable bond in at least the amount of the contract and with such surety as may be determined by the department and as shall be approved by it.

Approved March 14, 1959.

**\*Note:** Section 24-0217 was also amended by chapter 372, section 34.

## CHAPTER 232

S. B. No. 88  
(Longmire and Garaas)

HIGHWAY DEPARTMENT CONTRACTS AND PUBLIC  
BUILDING CONSTRUCTION

## AN ACT

To amend and reenact section 24-0220 and section 48-0204 of the North Dakota Revised Code, as amended, relating to the bidding requirements for state highway department contracts and to the construction of public buildings, contents for advertising bids, and providing for bidder's bond.

*Be It Enacted by the Legislative Assembly of the State of North Dakota:*

§ 1. **Amendment.**) Section 24-0220 of the 1957 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

**24-0220. Bids, Where Opened: Requirements; Bonds or Checks of Three Lowest Bidders Retained.)** All bids shall be opened at the time and place specified in the advertised request for bids. Each bid shall be accompanied by a certified check of the bidder on a solvent North Dakota bank, in an amount equal to five percent of his bid, to be forfeited to the state highway fund should the bidder fail to effect a contract within ten days after a notice of an award or by a bidder's bond in a sum equal to twenty percent of the full amount of the bid, executed by the bidder as principal and by a surety company authorized to do business in this state, conditioned that if the principal's bid be accepted and the contract awarded to him, he, within ten days after notice of award, will execute and effect a contract in accordance with the terms of his bid and a contractor's bond as required by law and the regulations and determinations of the department.

All bonds or checks, except those of the responsible bidders submitting the three lowest and best bids, shall be returned to the bidders promptly upon opening such bids. The bond or check of the responsible bidder submitting the lowest and best bid may be cashed or retained until the contract has been awarded and executed properly. The bonds or checks of the responsible bidders submitting the second and third lowest and best bids may be returned to the bidders when the department has determined to whom the contract is to be awarded.

§ 2. **Amendment.**) Section 48-0204 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

**48-0204. Contents of Advertisement.)** The advertisement for bids required by section 48-0203 shall state:

1. When and where the plans, drawings, and specifications therefor may be seen and examined;
2. The place where, and the day and hour when, the bids will be opened;
3. That the right of the board to reject any and all bids is reserved;
4. Each bid shall be accompanied by a certified check of the bidder on a solvent North Dakota bank, in the amount equal to five percent of his bid, to be forfeited to the governing board should the bidder fail to effect a contract within ten days after a notice of an award or by a bidder's bond in a sum equal to twenty percent of the full amount of the bid, executed by the bidder as principal and by a surety company authorized to do business in this state, conditioned that if the principal's bid be accepted and the contract awarded to him, he, within ten days after notice of award, will execute and effect a contract in accordance with the terms of his bid and a contractor's bond as required by law and the regulations and determinations of the department;
5. All bidders must be licensed for the highest amount of their bids, as provided by section 43-0705; and
6. No bid will be read or considered which does not fully comply with the above provisions as to bond and licenses, and any deficient bid submitted will be resealed and returned to the bidder immediately.

Approved March 17, 1959.

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## CHAPTER 233

S. B. No. 137  
(Kee and Luick)

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### HIGHWAY DEPARTMENT PAYMENTS TO CONTRACTORS

#### AN ACT

Authorizing the state highway commissioner to determine the percentage of payments to contractors for work completed prior to acceptance and to amend section 24-0225 of the 1957 Supplement to the North Dakota Revised Code of 1943.

*Be It Enacted by the Legislative Assembly of the State of North Dakota:*

**§ 1. Amendment.)** Section 24-0225 of the 1957 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

**24-0225. Payments Made Monthly to Contractors.)** Payment shall be made monthly to the contractor for all work done or material furnished, in such amount as shall be determined by the highway commissioner, but in no event less than ninety percent nor more than ninety-nine percent thereof, and payment shall be made in full upon the completion of the contract and acceptance of the work.

Approved March 9, 1959.

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## CHAPTER 234

H. B. No. 792  
(Lindberg)

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### CONSTRUCTION CONTRACT PREFERENCE, REPEAL

#### AN ACT

To repeal section 24-0235 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the giving of preference to North Dakota residents in bidding on contracts for road and bridge work and materials; and to amend and reenact section 48-0206 of the 1957 Supplement to the North Dakota Revised Code of 1943, omitting the preference given to North Dakota residents in bidding for contracts for the construction, alteration, or repair of public buildings, and declaring an emergency.

*Be It Enacted by the Legislative Assembly of the State of North Dakota:*

**§ 1. Repeal.)** Section 24-0235 of the 1957 Supplement to the North Dakota Revised Code of 1943 is hereby repealed.

**§ 2. Amendment.)** Section 48-0206 of the 1957 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

**48-0206. Opening Bids; Award of Contract; Bond Required.)** At the time and place specified in the notice, the governing board shall open publicly and read aloud all bids received, and may reject all bids or award the contract to the lowest and best bidder. The governing body concerned shall require of the contractor to whom the contract is awarded a bond complying with chapter 1 of this title. Such board shall have the power to reject any and all bids and may advertise anew in accordance herewith until a satisfactory bid is received.

**§ 3. Emergency.)** An emergency is hereby declared to exist and this Act shall take effect and be in force from and after its passage and approval.

Approved March 12, 1959.

## CHAPTER 235

S. B. No. 38

(Johnson, Luick, Saumur, Krause, Roen)

(From LRC Study)

## ACCESS ROUTES FROM INTERSTATE SYSTEM

## AN ACT

Providing for the construction of access routes necessitated by the construction of the interstate highway; to amend and reenact section 24-0236 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the expenditure of state highway funds; and to amend and reenact section 24-A0102 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the definition of interstate highway system; and to declare legislative intent.

*Be It Enacted by the Legislative Assembly of the State of North Dakota:*

**§ 1. Legislative Intent.)** It is the intent of the legislature that the highway commissioner have sufficiently broad authority to provide, within means available, and with the cooperation from political subdivisions, for an integrated highway system, including reasonable access from the interstate highways to the municipalities most directly affected by the construction of such highway.

**§ 2. Access Routes.)** Whenever the construction of an interstate, controlled-access highway, results in the removal from the state highway system, a highway which passes through or approaches within one mile of any incorporated municipality, the commissioner may if conditions warrant, expend state highway funds to the extent of not over 25% of the cost to construct access routes on the federal-aid secondary county system. Only such access routes may be constructed under authorization of this Act as are not over three miles in length and are necessary to provide as good or better access from such municipalities to the network of the state highway system, as existed prior to the construction of such interstate highway.

Such access routes may be constructed from the municipal limits to the interstate highway or in such other locations as will, in the opinion of the commissioner, comply with the intent of this Act.

**§ 3. Amendment.)** Section 24-0236 of the 1957 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

**24-0236. State Funds Not Used on Feeder Roads.)** Except as provided in section 2 of this Act no state funds shall be expended for feeder roads or other roads not on the state highway system except for the necessary administrative costs and for such work as is reimbursable from federal or county funds or from funds of other organizations or governmental departments for which reimbursement arrangements have been made. After completion of any such cooperative construction, all authority and control over roads off the state highway system shall be returned to the local authorities under whom control was vested previously.

**§ 4. Amendment.)** Section 24-A0102 of the 1957 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted by creating and enacting subsection 46 to read as follows:

46. "Interstate system" or "interstate highway system" shall mean that part of the state highway system designated as the North Dakota portion of the national system of interstate and defense highways as provided for in public law 85-767, enacted by the 85th Congress of the United States.

Approved March 4, 1959.

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## CHAPTER 236

H. B. No. 694

(Frank, Mosal, Bier, Thompson of McLean, Kitzmann)

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### INJURY AND DESTRUCTION TO HIGHWAYS; ENFORCEMENT

#### AN ACT

To amend and reenact section 24-1201 and subsections 1 and 2 of section 39-0309 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to injuries to highways and authority of highway patrol.

*Be It Enacted by the Legislative Assembly of the State of North Dakota:*

**§ 1. Amendment.)** Section 24-1201 of the 1957 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

**24-1201. Injuries to Highways.)** No person shall willfully dig up, remove, displace, break or otherwise injure or destroy any public highway, right-of-way, or bridge, or any rest area, picnic area, or tourist camp or improvements thereon, operated in connection with a public highway, or any private way laid

out by authority of law, or any bridge upon such way without first securing permission from the person or governing body having jurisdiction and control thereof.

**\*§ 2. Amendment.)** Subsections 1 and 2 of section 39-0309 of the 1957 Supplement to the North Dakota Revised Code of 1943 are hereby amended and reenacted to read as follows:

1. Of a peace officer for the purpose of enforcing the provisions of this title relating to operators' licenses, the provisions of Title 24 relating to highways, and of any other law regulating the operation of vehicles or the use of the highways;
2. To make arrests upon view and without warrant for any violation committed in his presence of any of the provisions of this title relating to operators' licenses, or of Title 24 relating to highways or to other laws regulating the operation of vehicles or the use of the highways.

Approved March 9, 1959.

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## CHAPTER 237

S. B. No. 276

(Livingston, Larson, Foss, Luick, Thompson)

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### GARBAGE ON HIGHWAYS

#### AN ACT

To amend and reenact section 24-1203 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the depositing of garbage on highways.

*Be It Enacted by the Legislative Assembly of the State of North Dakota:*

**§ 1. Amendment.)** Section 24-1203 of the 1957 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

**24-1203. Garbage Deposited on Highways.)** No person, firm or corporation shall throw or deposit or cause to be thrown or deposited any garbage, glass, bottles, boxes, or rubbish of any kind upon any public highway in the state. Political subdivisions of this state are hereby authorized to offer a reward, the amount of which shall be determined by the governing body of such political subdivision, for any information leading to the conviction of any person violating this section as to any public highway which is under the jurisdiction of the political subdivision offering such reward.

Approved March 10, 1959.

**\*Note:** Subsection 1 of section 39-0309 was also amended by chapter 289, section 14.