

Under the Trooper's Hat

By: Trooper Michael Hayen
North Dakota Highway Patrol

Have you ever noticed vehicles with tires protruding outside the wheel wells such as jacked-up pickup trucks? Vehicles are allowed to have the tires sticking out but with limitations. North Dakota Administrative Code 37-12-02 "Special Motor Vehicles", discusses the requirements for vehicles constructed, reconstructed, or modified from their original version.

A "Special motor vehicle" means any vehicle equipped with two or more axles having at least two wheels per axle, and which are intended for use on public highways. The term "special motor vehicle" includes the following types:

- **Type I** - Those vehicles which are restored to or retain their original configuration, but which may contain changed steering, brake, power train, or suspension systems.
- **Type II** - Those vehicles changed from the recognized vehicle manufacturer's original body configuration, but which retain the general appearance of the original vehicle. This type may include changes and modifications to engine, chassis, brake system, power train, steering, and suspension systems.
- **Type III** - Other than type I and type II special vehicles, those vehicles custom built with fabricated parts, or parts taken from existing vehicles.

All wheels and tires of every special motor vehicle shall be equipped with fenders that cover the entire tire tread width that meets the road surface. The purpose of fenders is to prevent the rotating wheels and tires throwing particles such as mud, rocks, sand, liquids, and other road substances into the air.

It is not uncommon to see pick-up trucks and passenger cars with tires that stick out further than normal. The tire tread must be covered by fenders or "fender flares" to be considered legal. There are also limitations on tire width. No vehicle can be operated in excess of 8'6" wide. If the tires and wheels are extra wide, the entire width of the vehicle cannot be wider than 8'6".

A person operating a vehicle with protruding tires without fenders could be stopped by law enforcement and cited under NDCC 39-21-45.1 "Mortification of Motor Vehicle" and receive a twenty-dollar (\$20.00) citation for the offense.

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