

Fifty-fifth Legislative Assembly, State of North Dakota, begun in the Capitol in the City of Bismarck, on Monday, the sixth day of January, one thousand nine hundred and ninety-seven

SENATE BILL NO. 2126
(Senator Thompson)
(At the request of the Department of Transportation)

AN ACT to amend and reenact sections 39-18-01 and 39-22.1-01 of the North Dakota Century Code, relating to mobile home and trailer dealer licensing fees.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 39-18-01 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

39-18-01. Mobile home dealer's license - Fees - Dealer's plates. No person, partnership, corporation, or limited liability company may engage in the business of buying, selling, or exchanging of mobile homes or travel trailers, or advertise or hold ~~himself~~ oneself or itself out to the public as being in the business of buying, selling, or exchanging of mobile homes or travel trailers without first being licensed to do so as hereinafter provided.

Application for dealer's license and renewal license must be made to the department on such forms as the department ~~shall prescribe~~ prescribes and ~~furnish~~ furnishes, and ~~such~~ the application must be accompanied by an annual fee of thirty-five dollars. ~~Such~~ for which must be issued one dealer plate. A dealer's license expires on December thirty-first of each year, and application for renewal of ~~such~~ a dealer's license must be made on or before the expiration of the current dealer's license.

A mobile home dealer's license must be issued only to those who will maintain a permanent office and place of business, and an adequate service department, during the licensing year, and will abide by all the provisions of law pertaining to mobile home dealers.

In addition, the dealer shall maintain ~~his~~ that person's business records in one central location.

Upon the payment of the fee of ten dollars for each additional plate, the department shall register and issue dealer's license plates for use on any mobile homes owned by the licensed dealer, and ~~such~~ the mobile homes bearing ~~such~~ the dealer's license plates may be lawfully operated upon the public highways of the state of North Dakota by ~~such~~ the dealer, ~~his~~ the dealer's agents and servants, during the year of ~~such~~ the registration. ~~Such~~ A dealer's license plates expire on December thirty-first of each year.

The term "mobile home" as used in this chapter includes and has the same meaning as "housetrailer", and both terms have the meaning prescribed in subsection 82 of section 39-01-01. The term "travel trailer" as used in this chapter has the meaning as prescribed in section 39-01-01.

Any mobile home dealer licensed under the provisions of this chapter may sell house cars without being licensed under the provisions of chapter 39-22. A mobile home dealer plate displayed on a house car must be displayed on the rear of the vehicle.

SECTION 2. AMENDMENT. Section 39-22.1-01 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

39-22.1-01. Trailer dealer's license - Fees - Plates. No person, partnership, corporation, or limited liability company may engage in the business of buying, selling, or exchanging of trailers, or advertise or hold oneself or itself out to the public as being in the business of buying, selling, or exchanging of trailers without first being licensed to do so as hereinafter provided.

Application for dealer's license and renewal license must be made to the director on such forms as the director ~~shall prescribe~~ prescribes and ~~furnish~~ furnishes, and ~~such the~~ application must be accompanied by an annual fee of ~~twenty~~ thirty dollars. ~~Such for which must be issued one dealer plate.~~ A dealer's license expires on December thirty-first of each year, and application for renewal of such a dealer's license must be made on or before the expiration of the current dealer's license.

A trailer dealer's license may be issued only to those who will maintain a permanent office and place of business and will abide by all the provisions of law pertaining to trailer dealers. In addition, the dealer shall maintain ~~his~~ that person's business records in one central location.

Upon the payment of a fee of ten dollars for each additional plate, the director shall register and issue dealer's license plates for use on any trailers owned by the licensed dealer, and ~~such the~~ trailers bearing ~~such the~~ dealer's license plates may be lawfully operated upon the public highways of the state of North Dakota by ~~such the~~ dealer, the dealer's agents or representatives, during the year of ~~such the~~ registration. ~~Such A~~ A dealer's license plates expire on December thirty-first of each year.

The term "trailer" as used in this chapter does not include those trailers exempt from registration in chapter 39-04.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Fifty-fifth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2126.

Senate Vote: Yeas 43 Nays 0 Absent 6

House Vote: Yeas 94 Nays 0 Absent 3

Secretary of the Senate

Received by the Governor at _____ M. on _____, 1997.

Approved at _____ M. on _____, 1997.

Governor

Filed in this office this _____ day of _____, 1997,

at _____ o'clock _____ M.

Secretary of State