

Fifty-fifth
Legislative Assembly
of North Dakota

SENATE BILL NO. 2212

Introduced by

Senators O'Connell, Schobinger, B. Stenehjem

Representatives Boehm, Maragos, Sveen

1 A BILL for an Act to amend and reenact subsection 2 of section 39-06.1-11 of the North Dakota
2 Century Code, relating to temporary restricted motor vehicle operators' licenses.

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

4 **SECTION 1. AMENDMENT.** Subsection 2 of section 39-06.1-11 of the 1995
5 Supplement to the North Dakota Century Code is amended and reenacted as follows:

6 2. If the licensing authority has suspended a license under chapter 39-20, or after a
7 violation of section 39-08-01 or equivalent ordinance, the authority may, in
8 accordance with this section, for good cause, and upon written application of the
9 offender, issue a temporary restricted license ~~which~~ that takes effect after thirty
10 days of the suspension have been served after a first offense under section
11 39-08-01 or chapter 39-20. The licensing authority may not issue a temporary
12 restricted license to any offender whose operator's license has been revoked under
13 section 39-20-04 or suspended upon a second or subsequent offense under
14 section 39-08-01 or chapter 39-20, except that a temporary restricted license may
15 be issued for good cause if no offenses have been committed for a period of two
16 years before the date of the filing of a written application accompanied by a report
17 from an addiction facility. The ~~commissioner~~ director may conduct a hearing for
18 the purposes of obtaining information, reports, and evaluations from courts, law
19 enforcement, and citizens to determine the offender's conduct and driving behavior
20 for the two-year period. The ~~commissioner~~ director may also require that an
21 ignition interlock device be installed in the offender's vehicle. The licensing
22 authority may not issue a temporary restricted license for a period of license
23 revocation or suspension imposed under subsection 5 of section 39-06-17, section
24 39-06-31, or subsection 3.1 of section 39-06.1-10, ~~or section 39-20-04~~. A

1 temporary restricted license may be issued for suspensions ordered under
2 subsection 7 of section 39-06-32 if it could have been issued had the suspension
3 resulted from in-state conduct, ~~but no temporary restricted license may be issued~~
4 ~~for suspensions ordered under subsection 4 of section 39-06-32.~~