

**FIRST ENGROSSMENT
with Senate Amendments**

Fifty-fifth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1364

Introduced by

Representatives Delmore, Mahoney, Maragos

Senators Nething, St. Aubyn

1 A BILL for an Act to create and enact a new section to chapter 39-04 of the North Dakota
2 Century Code, relating to park model trailer fees; to amend and reenact subsection 2 of section
3 57-40.3-01 and subsection 2 of section 57-55-10 of the North Dakota Century Code, relating to
4 the definition of motor vehicle and a mobile home tax exemption for a park model trailer; to
5 provide an effective date; and to provide an expiration date.

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

7 **SECTION 1.** A new section to chapter 39-04 of the North Dakota Century Code is
8 created and enacted as follows:

9 **Park model trailer fee.** The owner of a park model trailer, as defined in subsection 2
10 of section 57-55-10, shall pay the department a fee of twenty dollars per calendar year to
11 qualify for the exemption under section 57-55-10. The department shall issue a receipt for
12 payment of the fee under this section but payment of the fee does not confer any rights to the
13 owner of a park model trailer which are not otherwise provided by law. Fees collected under
14 this section must be deposited in the highway tax distribution fund.

15 **SECTION 2. AMENDMENT.** Subsection 2 of section 57-40.3-01 of the North Dakota
16 Century Code is amended and reenacted as follows:

17 2. "Motor vehicle" includes every vehicle ~~which~~ that is self-propelled and every
18 vehicle ~~which~~ that is propelled by electric power obtained from overhead trolley
19 wires, but not operated upon rails, every trailer, semitrailer, park model trailer as
20 defined in subsection 2 of section 57-55-10, all-terrain vehicle, snowmobile, and
21 travel trailer for which a certificate of title is required to be obtained ~~pursuant to the~~
22 ~~provisions of~~ under chapter 39-05, but not including house trailers, or mobile
23 homes.

SECTION 3. AMENDMENT. Subsection 2 of section 57-55-10 of the North Dakota Century Code is amended and reenacted as follows:

2. The provisions of this chapter shall not apply to a mobile home ~~which~~ that:

a. Is used only for the temporary living quarters of the owner or other occupant while such person is engaged in recreational or vacation activities, provided that such unit ~~displays~~:

(1) Displays a current travel trailer license; or

(2) Is a park model trailer that is used only for seasonal or recreational living quarters, and which is located in a trailer park or campground and for which the owner has paid a park model trailer fee under section 1 of this Act. For purposes of this paragraph, "park model" trailer means a recreational vehicle not exceeding forty feet [12.19 meters] in length which is primarily designed to provide temporary living quarters for recreation, camping, or seasonal use; is built on a single chassis; is mounted on wheels; has a gross trailer area not exceeding four hundred square feet [37.16 square meters] of enclosed living space in the setup mode; and is certified by the manufacturer as complying with American national standards institute standard A119.5.

b. Qualifies as a farm residence as described by subsection 15 of section 57-02-08, provided such mobile home is permanently attached to the ground.

c. Is permanently attached to a foundation and is assessed as real property, provided the owner of such mobile home also owns the land on which such mobile home is located.

d. Is owned by a licensed mobile home dealer who holds such mobile home solely for the purpose of resale, and provided that such mobile home is not used as living quarters or as the place for the conducting of any business.

SECTION 4. EFFECTIVE DATE - EXPIRATION DATE. This Act is effective for the first two taxable years beginning after December 31, 1996, and is thereafter ineffective.