

Fifty-fifth  
Legislative Assembly  
of North Dakota

## ENGROSSED SENATE BILL NO. 2160

Introduced by

Senators Tallackson, Sand

Representatives Gorder, Henegar, Monson, Olson

1 A BILL for an Act to amend and reenact subdivision c of subsection 5 of section 39-24-09 and  
2 section 39-24-11 of the North Dakota Century Code, relating to driving a snowmobile while  
3 under the influence of intoxicating liquor or a controlled substance; and to provide a penalty.

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

5 **SECTION 1. AMENDMENT.** Subdivision c of subsection 5 of section 39-24-09 of the  
6 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

7 c. While under the influence of intoxicating liquor or a controlled substance. A  
8 violation of this subdivision is deemed a violation of section 39-08-01 if a  
9 person drives, operates, or is in actual physical control of a snowmobile while  
10 within the right of way of any highway or upon a trail or other public or private  
11 area that the public has a right of access for snowmobile or other vehicular  
12 use.

13 **SECTION 2. AMENDMENT.** Section 39-24-11 of the 1995 Supplement to the North  
14 Dakota Century Code is amended and reenacted as follows:

15 **39-24-11. Penalties.** Any person who violates subdivision b, c, or g of subsection 5 of  
16 section 39-24-09 is guilty of a class B misdemeanor, except for violations of subdivision c of  
17 subsection 5 which occur within the right of way of any highway or upon a trail or other public or  
18 private area that the public has a right of access for snowmobile or other vehicular use to which  
19 the penalties provided in section 39-08-01 and implied consent provisions of chapter 39-20  
20 apply. Any person who violates any other provision of section 39-24-09 must be assessed a  
21 fee of twenty dollars. Any person, unless specifically exempted, who fails to register as  
22 required by section 39-24-02 must be assessed a fee of fifty dollars. If the person provides  
23 proof of registration ~~since~~ after the violation, the fee may be reduced by one-half. Any person

- 1 who violates any other provision of this chapter for which a specific penalty is not provided must
- 2 be assessed a fee of ten dollars.