

Introduced by

Transportation Committee

(At the request of the Department of Transportation)

1 A BILL for an Act to create and enact a new subsection to section 39-01-01 of the North Dakota  
2 Century Code, relating to the definition of recreational vehicle; and to amend and reenact  
3 subsection 67 of section 39-01-01, subsection 2 of section 39-04-36, subsection 4 of section  
4 39-05-17.2, subparagraph a of paragraph 3 of subdivision b of subsection 2 of section  
5 39-06-14, and section 39-18-01 of the North Dakota Century Code, relating to vehicle  
6 registration fee credits, motor vehicle body damage disclosure, and correction of statutory  
7 references.

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

9 **SECTION 1.** A new subsection to section 39-01-01 of the North Dakota Century Code  
10 is created and enacted as follows:

11 "Recreational vehicle" means any motorcycle not qualified for registration,  
12 all-terrain vehicle, snowmobile, vessel, or personal watercraft.

13 **SECTION 2. AMENDMENT.** Subsection 67 of section 39-01-01 of the North Dakota  
14 Century Code is amended and reenacted as follows:

15 ~~67.~~ 68. "Semitrailer" includes every vehicle of the trailer type so designed and used in  
16 conjunction with a truck or truck tractor that some part of its own weight and that of  
17 its own load rests upon or is carried by a truck or truck tractor, except that it does  
18 not include a "housetrailer" or "mobile home" as defined in subsection ~~82~~ 83.

19 **SECTION 3. AMENDMENT.** Subsection 2 of section 39-04-36 of the North Dakota  
20 Century Code is amended and reenacted as follows:

21 2. Upon applying for the transfer of the registration and paying a five dollar fee, a  
22 person who transfers or assigns to another person the ownership of a registered  
23 vehicle may receive credit for the unused portion of the fees paid for the  
24 transferred vehicle. The department may establish procedures that permit the

1            transferor to assign the credit to the transferee. One-twelfth of the annual fee must  
2            be credited for each month of the registration period remaining after the month in  
3            which the transfer is made. The credit may not extend beyond the original  
4            expiration of the registration. Except as provided in section 39-04-44, the credit  
5            must be applied to the registration fees for a replacement vehicle. The transferor  
6            shall apply for the transfer of registration within thirty days of the purchase of the  
7            replacement vehicle.

8            **SECTION 4. AMENDMENT.** Subsection 4 of section 39-05-17.2 of the North Dakota  
9            Century Code is amended and reenacted as follows:

- 10           4. A person repairing, replacing parts, or performing body work on a motor vehicle  
11           that is less than ~~eight~~ nine model years old shall provide a statement to the owner  
12           of the motor vehicle when the motor vehicle has sustained motor vehicle damage  
13           requiring disclosure under this section. The owner shall disclose this damage  
14           when ownership of the motor vehicle is transferred. When a vehicle is damaged in  
15           excess of seventy-five percent of its retail value as determined by the national  
16           automobile dealers association official used car guide, the person repairing,  
17           replacing parts, or performing body work on the motor vehicle that is less than  
18           eight years old shall also advise the owner of the motor vehicle that the owner of  
19           the vehicle must comply with section 39-05-20.2.

20           **SECTION 5. AMENDMENT.** Subparagraph a of paragraph 3 of subdivision b of  
21           subsection 2 of section 39-06-14 of the North Dakota Century Code is amended and reenacted  
22           as follows:

- 23                            (a) A double trailer, triple trailer, or, if under eighteen years of age, a  
24                            truck tractor as defined in ~~subsection 35-01-01.~~

25           **SECTION 6. AMENDMENT.** Section 39-18-01 of the North Dakota Century Code is  
26           amended and reenacted as follows:

27           **39-18-01. Mobile home dealer's license - Fees - Dealer's plates.** No person,  
28           partnership, corporation, or limited liability company may engage in the business of buying,  
29           selling, or exchanging of mobile homes or travel trailers, or advertise or hold oneself or itself out  
30           to the public as being in the business of buying, selling, or exchanging of mobile homes or  
31           travel trailers without first being licensed to do so as hereinafter provided.

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

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

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

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

17           The term "mobile home" as used in this chapter includes and has the same meaning as  
18 "housetrailer", and both terms have the meaning prescribed in ~~subsection 82 of section~~  
19 39-01-01. The term "travel trailer" as used in this chapter has the meaning as prescribed in  
20 section 39-01-01.

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