

Fifty-sixth
Legislative Assembly
of North Dakota

SENATE BILL NO. 2406

Introduced by

Senators B. Stenehjem, Cook, Kringstad, Tomac

Representatives Drovdal, Lemieux

1 A BILL for an Act to amend and reenact sections 39-06-35, 39-06-36, and 39-08-20 of the North
2 Dakota Century Code, relating to revoked and suspended licenses and driving without liability
3 insurance.

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

5 **SECTION 1. AMENDMENT.** Section 39-06-35 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **39-06-35. Period of suspension.** When the period of suspension imposed under this
8 title ceases, the operator's license or driving privilege that has been suspended may not be
9 returned or reinstated, and remains under suspension, until the operator pays to the director a
10 reinstatement fee of ~~twenty-five~~ fifty dollars, or ~~fifty~~ one hundred dollars if the suspension was
11 the result of a violation under section 39-08-01 or chapter 39-20, and, if applicable, until ~~the~~
12 ~~provisions of compliance with subsection 3.1 of section 39-06.1-10 have been complied with.~~
13 Upon payment of the reinstatement fee the license must be returned to the operator. A
14 reinstatement fee is not required for a license to be returned to the operator if the return of the
15 license is due to the findings of a hearing, reexamination of hearing, or court or judicial review
16 under chapter 39-06, 39-06.1, or 39-20.

17 **SECTION 2. AMENDMENT.** Section 39-06-36 of the North Dakota Century Code is
18 amended and reenacted as follows:

19 **39-06-36. Restoration of revoked licenses.** Any person whose license or privilege to
20 drive a motor vehicle on the public highways has been revoked is not entitled to have such
21 license or privilege renewed or restored unless the revocation was for a cause which has been
22 removed, except that after the expiration of the revocation period such person may make
23 application for a new license as provided by law, but the director may not then issue a new
24 license unless and until the director is satisfied after investigation of the individual's driving

records, driving habits, and driving ability of such person that it will be safe to grant the privilege of driving a motor vehicle on the public highways. A person whose license or privilege to drive a motor vehicle has been revoked must pay to the director a revocation reinstatement fee of ~~twenty-five~~ fifty dollars, or ~~fifty~~ one hundred dollars if the revocation was imposed for violation of subsection 5 of section 39-06-17, section 39-06-31, 39-06-43, or 39-20-04, in addition to any license renewal fee, for issuance of a new license. Until the reinstatement fee is paid the license and privilege to drive a motor vehicle remain under revocation. A reinstatement fee is not required if a revoked license is reinstated due to the findings of a hearing, reexamination of hearing, or court or judicial review as provided under chapter 39-06, 39-06.1, or 39-20.

SECTION 3. AMENDMENT. Section 39-08-20 of the North Dakota Century Code is amended and reenacted as follows:

39-08-20. Driving without liability insurance prohibited - Penalty.

1. A person may not drive, or the owner may not cause or knowingly permit to be driven, a motor vehicle in this state without a valid policy of liability insurance in effect in order to respond in damages for liability arising out of the ownership, maintenance, or use of that motor vehicle in the amount required by chapter 39-16.1. Upon being stopped by a law enforcement officer for the purpose of enforcing or investigating the possible violation of an ordinance or state law or during the investigation of an accident, the person driving the motor vehicle shall provide to the officer upon request satisfactory evidence of the policy required under this section. If unable to comply with the request, ~~that person may be charged with a violation of this section if that person fails to submit such evidence to the officer or the officer's agency within twenty days of the date of the request~~ the law enforcement officer shall obtain the information from the department. If that person produces a valid policy of liability insurance in effect at the time of violation of this section to ~~the officer, officer's agency, or~~ a court, that person may not be convicted or assessed any court costs for violation of this section. Violation of this section is a class B misdemeanor and the sentence imposed must include a fine of at least one hundred fifty dollars which may not be suspended. A person convicted for a second or subsequent violation of driving without liability insurance

1 within an eighteen-month period must be fined at least three hundred dollars which
2 may not be suspended.

3 2. The insurer of a motor vehicle shall provide the department in a manner
4 determined by the department proof of insurance for every vehicle that the insurer
5 insures and which is driven in this state. The insurer shall notify the department in
6 a manner determined by the department of the nonrenewal, cancellation, or
7 termination of the policy of motor vehicle liability insurance within ten days of the
8 nonrenewal, cancellation, or termination.