

Fifty-ninth
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2255

Introduced by

Senators Trenbeath, Espegard, Tallackson

Representatives Delmore, Hawken, Weisz

1 A BILL for an Act to create and enact a new section to chapter 57-40.3 of the North Dakota
2 Century Code, relating to a separate and additional motor vehicle excise tax; to amend and
3 reenact sections 39-04-19, 39-04.2-03, 39-04.2-04, and 57-40.3-10 of the North Dakota
4 Century Code, relating to registration fees, funding for public transportation, and revenue from
5 the motor vehicle excise tax; to repeal section 7 of chapter 12 of the 2003 Session Laws,
6 relating to registration fee allocation; and to provide an effective date.

7 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

8 **SECTION 1. AMENDMENT.** Section 39-04-19 of the North Dakota Century Code is
9 amended and reenacted as follows:

10 **39-04-19. Motor vehicle registration fees and mile tax.** Motor vehicles required to
11 pay registration fees or a mile tax shall pay the following fees:

- 12 1. Nonresidents electing to pay mile tax in lieu of registration, when authorized to do
13 so by the department, shall pay a fee of twenty dollars for a trip permit which is
14 valid for a period of seventy-two hours. All fees collected under the provisions of
15 this subsection must be credited to the highway construction fund.
- 16 2. Motor vehicles required to be registered in this state must be furnished license
17 plates upon the payment of the following annual fees; however, if a motor vehicle,
18 including a motorcycle or trailer, first becomes subject to registration other than at
19 the beginning of the registration period, such fees must be prorated on a monthly
20 basis. The minimum fee charged hereunder must be five dollars:
 - 21 a. Passenger motor vehicles:

YEARS REGISTERED					
	1st, 2nd,	7th, 8th,	10th, 11th,	13th and	
23					
24	Gross	3rd, 4th, 5th,	and 9th	and 12th	Subsequent

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1	Weights	and 6th Years	Years	Years	Years
2	Less than 3,200	\$60 <u>\$67.50</u>	\$52 <u>\$59.50</u>	\$44 <u>\$51.50</u>	\$36 <u>\$43.50</u>
3	3,200 - 4,499	80 <u>87.50</u>	68 <u>75.50</u>	56 <u>63.50</u>	44 <u>51.50</u>
4	4,500 - 4,999	98 <u>105.50</u>	84 <u>88.50</u>	66 <u>73.50</u>	50 <u>57.50</u>
5	5,000 - 5,999	129 <u>136.50</u>	107 <u>114.50</u>	85 <u>92.50</u>	63 <u>70.50</u>
6	6,000 - 6,999	162 <u>169.50</u>	133 <u>140.50</u>	104 <u>111.50</u>	76 <u>83.50</u>
7	7,000 - 7,999	195 <u>202.50</u>	159 <u>166.50</u>	124 <u>131.50</u>	89 <u>96.50</u>
8	8,000 - 8,999	228 <u>235.50</u>	186 <u>193.50</u>	144 <u>151.50</u>	102 <u>109.50</u>
9	9,000 and over	264 <u>268.50</u>	212 <u>219.50</u>	164 <u>171.50</u>	115 <u>122.50</u>

A house car is subject to registration at the rates prescribed for other vehicles under this subdivision modified by using the weight applicable to a vehicle whose weight is forty percent of that of the house car, but not using a weight of less than four thousand pounds [1814.35 kilograms].

- b. Schoolbuses, buses for hire, buses owned and operated by religious, charitable, or nonprofit organizations and used exclusively for religious, charitable, or other public nonprofit purposes, and trucks or combination trucks and trailers, including commercial and noncommercial trucks, except those trucks or combinations of trucks and trailers which qualify for registration under subsection 5:

YEARS REGISTERED

21		1st	7th	10th	13th	20th and
22	Gross	Through	Through	Through	Through	Subsequent
23	Weights	6th Years	9th Years	12th Years	19th Years	Years
24	Not over 4,000	\$58 <u>\$65.50</u>	\$45 <u>\$52.50</u>	\$40 <u>\$47.50</u>	\$37 <u>\$44.50</u>	\$36 <u>\$43.50</u>
25	4,001 - 6,000	63 <u>70.50</u>	50 <u>57.50</u>	44 <u>51.50</u>	38 <u>45.50</u>	37 <u>44.50</u>
26	6,001 - 8,000	68 <u>75.50</u>	55 <u>62.50</u>	48 <u>55.50</u>	39 <u>46.50</u>	38 <u>45.50</u>
27	8,001 - 10,000	73 <u>80.50</u>	60 <u>67.50</u>	52 <u>59.50</u>	41 <u>48.50</u>	40 <u>47.50</u>
28	10,001 - 12,000	78 <u>85.50</u>	65 <u>72.50</u>	56 <u>63.50</u>	43 <u>50.50</u>	42 <u>49.50</u>
29	12,001 - 14,000	83 <u>90.50</u>	70 <u>77.50</u>	60 <u>67.50</u>	46 <u>53.50</u>	45 <u>52.50</u>
30	14,001 - 16,000	88 <u>95.50</u>	75 <u>82.50</u>	64 <u>71.50</u>	49 <u>56.50</u>	48 <u>55.50</u>

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1	16,001 - 18,000	93 <u>100.50</u>	80 <u>87.50</u>	68 <u>75.50</u>	54 <u>58.50</u>	50 <u>57.50</u>
2	18,001 - 20,000	96 <u>103.50</u>	83 <u>90.50</u>	70 <u>77.50</u>	52 <u>59.50</u>	54 <u>58.50</u>

3	YEARS REGISTERED					
4		1st, 2nd, 3rd,	8th, 9th, 10th,	13th and		
5	Gross	4th, 5th, 6th,	11th, and	Subsequent		
6	Weights	and 7th Years	12th Years	Years		
7	20,001 - 22,000	\$126 <u>\$133.50</u>	\$100 <u>\$107.50</u>	\$87 <u>\$94.50</u>		
8	22,001 - 26,000	478 <u>185.50</u>	448 <u>155.50</u>	432 <u>139.50</u>		
9	26,001 - 30,000	239 <u>246.50</u>	497 <u>204.50</u>	475 <u>182.50</u>		
10	30,001 - 34,000	305 <u>312.50</u>	250 <u>257.50</u>	222 <u>229.50</u>		
11	34,001 - 38,000	366 <u>373.50</u>	299 <u>306.50</u>	265 <u>272.50</u>		
12	38,001 - 42,000	427 <u>434.50</u>	348 <u>355.50</u>	307 <u>314.50</u>		
13	42,001 - 46,000	488 <u>495.50</u>	396 <u>403.50</u>	350 <u>357.50</u>		
14	46,001 - 50,000	549 <u>556.50</u>	445 <u>452.50</u>	393 <u>400.50</u>		
15	50,001 - 54,000	619 <u>626.50</u>	503 <u>510.50</u>	444 <u>457.50</u>		
16	54,001 - 58,000	680 <u>687.50</u>	552 <u>559.50</u>	487 <u>494.50</u>		
17	58,001 - 62,000	742 <u>749.50</u>	604 <u>608.50</u>	530 <u>537.50</u>		
18	62,001 - 66,000	802 <u>809.50</u>	649 <u>656.50</u>	573 <u>580.50</u>		
19	66,001 - 70,000	863 <u>870.50</u>	698 <u>705.50</u>	615 <u>622.50</u>		
20	70,001 - 74,000	924 <u>931.50</u>	747 <u>754.50</u>	658 <u>665.60</u>		
21	74,001 - 78,000	985 <u>992.50</u>	796 <u>803.50</u>	704 <u>708.50</u>		
22	78,001 - 82,000	1,046 <u>1,053.50</u>	845 <u>852.50</u>	744 <u>751.50</u>		
23	82,001 - 86,000	1,169 <u>1,176.50</u>	950 <u>957.50</u>	834 <u>838.50</u>		
24	86,001 - 90,000	1,291 <u>1,298.50</u>	1,054 <u>1,061.50</u>	948 <u>925.50</u>		
25	90,001 - 94,000	1,413 <u>1,420.50</u>	1,159 <u>1,166.50</u>	1,005 <u>1,012.50</u>		
26	94,001 - 98,000	1,535 <u>1,543.50</u>	1,264 <u>1,271.50</u>	1,093 <u>1,100.50</u>		
27	98,001 - 102,000	1,657 <u>1,664.50</u>	1,368 <u>1,375.50</u>	1,180 <u>1,187.50</u>		
28	102,001 - 105,500	1,779 <u>1,786.50</u>	1,473 <u>1,480.50</u>	1,267 <u>1,274.50</u>		

29 c. Motorcycles, fifteen dollars.

30 3. Motor vehicles acquired by disabled veterans under the provisions of Public Law
31 79-663 [38 U.S.C. 3901] are exempt from the payment of state sales or use tax

and, if paid, such veterans are entitled to a refund. This exemption also applies to any passenger motor vehicle or pickup truck not exceeding ten thousand pounds [4535.92 kilograms] gross weight but shall apply to no more than two such motor vehicles owned by a disabled veteran at any one time.

4. Every trailer, semitrailer, and farm trailer required to be registered under this chapter must be furnished registration plates upon the payment of a twenty dollar annual fee. Every trailer, semitrailer, or farm trailer not required to be registered under this chapter must be furnished an identification plate upon the payment of a fee of five dollars. Upon the request of a person with a trailer or farm trailer to whom a registration or identification plate is provided under this subsection, the department shall provide a plate of the same size as provided for a motorcycle. The department shall provide notification of this option to the person before the replacement or issuance of the plate.

5. Trucks or combinations of trucks and trailers weighing more than twenty thousand but not more than one hundred five thousand five hundred pounds [more than 9071.84 but not more than 47854.00 kilograms] which are used as farm vehicles only, are entitled to registration under the following fee schedule and the provisions of this subsection. Farm vehicles are considered, for the purpose of this subsection, as trucks or combinations of trucks and trailers weighing more than twenty thousand but not more than one hundred five thousand five hundred pounds [more than 9071.84 but not more than 47854.00 kilograms] owned, or leased for at least one year by a bona fide resident farmer who uses the vehicles exclusively for transporting the farmer's own property or other property on a farm work exchange basis with other farmers between farms and the usual local trading places but not in connection with any commercial retail or wholesale business being conducted from those farms, nor otherwise for hire. In addition to the penalty provided in section 39-04-41, any person violating this subsection shall license for the entire license period the farm vehicle at the higher commercial vehicle rate in accordance with the weight carried by the farm vehicle at the time of the violation.

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1		1st, 2nd,	7th and	9th and	11th and
2	Gross	3rd, 4th, 5th,	8th	10th	Subsequent
3	Weights	and 6th Years	Years	Years	Years
4	20,001 - 22,000	\$98 <u>\$105.50</u>	\$84 <u>\$91.50</u>	\$70 <u>\$77.50</u>	\$52 <u>\$59.50</u>
5	22,001 - 24,000	403 <u>110.50</u>	88 <u>95.50</u>	73 <u>80.50</u>	54 <u>61.50</u>
6	24,001 - 26,000	414 <u>118.52</u>	94 <u>101.50</u>	77 <u>84.50</u>	56 <u>63.50</u>
7	26,001 - 28,000	422 <u>129.50</u>	102 <u>109.50</u>	83 <u>90.50</u>	60 <u>67.50</u>
8	28,001 - 30,000	434 <u>138.50</u>	110 <u>117.50</u>	89 <u>96.50</u>	64 <u>71.50</u>
9	30,001 - 32,000	446 <u>153.50</u>	123 <u>130.50</u>	100 <u>107.50</u>	73 <u>80.50</u>
10	32,001 - 34,000	456 <u>163.50</u>	134 <u>138.50</u>	106 <u>113.50</u>	77 <u>84.50</u>
11	34,001 - 36,000	466 <u>173.50</u>	139 <u>146.50</u>	112 <u>119.50</u>	84 <u>88.50</u>
12	36,001 - 38,000	476 <u>183.50</u>	147 <u>154.50</u>	118 <u>125.50</u>	85 <u>92.50</u>
13	38,001 - 40,000	486 <u>193.50</u>	155 <u>163.50</u>	124 <u>131.50</u>	89 <u>96.50</u>
14	40,001 - 42,000	496 <u>203.50</u>	163 <u>170.50</u>	130 <u>137.50</u>	93 <u>100.50</u>
15	42,001 - 44,000	206 <u>213.50</u>	174 <u>178.50</u>	136 <u>143.50</u>	97 <u>104.50</u>
16	44,001 - 46,000	216 <u>223.50</u>	179 <u>186.50</u>	142 <u>149.50</u>	101 <u>108.50</u>
17	46,001 - 48,000	226 <u>233.50</u>	187 <u>194.50</u>	148 <u>155.50</u>	105 <u>112.50</u>
18	48,001 - 50,000	236 <u>243.50</u>	195 <u>202.50</u>	154 <u>161.50</u>	109 <u>116.50</u>
19	50,001 - 52,000	256 <u>263.50</u>	213 <u>220.50</u>	170 <u>177.50</u>	123 <u>130.50</u>
20	52,001 - 54,000	266 <u>273.50</u>	224 <u>228.50</u>	176 <u>183.50</u>	127 <u>134.50</u>
21	54,001 - 56,000	276 <u>283.50</u>	229 <u>236.50</u>	182 <u>189.50</u>	131 <u>138.50</u>
22	56,001 - 58,000	286 <u>293.50</u>	237 <u>244.50</u>	188 <u>195.50</u>	135 <u>142.50</u>
23	58,001 - 60,000	296 <u>303.50</u>	245 <u>252.50</u>	194 <u>201.50</u>	139 <u>146.50</u>
24	60,001 - 62,000	306 <u>313.50</u>	253 <u>260.50</u>	200 <u>207.50</u>	143 <u>150.50</u>
25	62,001 - 64,000	316 <u>323.50</u>	264 <u>268.50</u>	206 <u>213.50</u>	147 <u>154.50</u>
26	64,001 - 66,000	326 <u>333.50</u>	269 <u>276.50</u>	212 <u>219.50</u>	151 <u>158.50</u>
27	66,001 - 68,000	336 <u>343.50</u>	277 <u>284.50</u>	218 <u>225.50</u>	155 <u>162.50</u>
28	68,001 - 70,000	346 <u>353.50</u>	285 <u>292.50</u>	224 <u>231.50</u>	159 <u>166.50</u>
29	70,001 - 72,000	356 <u>363.50</u>	293 <u>300.50</u>	230 <u>237.50</u>	163 <u>170.50</u>
30	72,001 - 74,000	366 <u>373.50</u>	304 <u>308.50</u>	236 <u>243.50</u>	167 <u>174.50</u>
31	74,001 - 76,000	376 <u>383.50</u>	309 <u>316.50</u>	242 <u>249.50</u>	171 <u>178.50</u>

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1	76,001 - 78,000	386 <u>393.50</u>	317 <u>324.50</u>	248 <u>255.50</u>	175 <u>182.50</u>
2	78,001 - 80,000	396 <u>403.50</u>	325 <u>332.50</u>	254 <u>261.50</u>	179 <u>186.50</u>
3	80,001 - 82,000	406 <u>413.50</u>	333 <u>340.50</u>	260 <u>267.50</u>	183 <u>190.50</u>
4	82,001 - 84,000	416 <u>423.50</u>	355 <u>362.50</u>	303 <u>310.50</u>	259 <u>266.50</u>
5	84,001 - 86,000	436 <u>443.50</u>	372 <u>379.50</u>	317 <u>324.50</u>	271 <u>278.50</u>
6	86,001 - 88,000	456 <u>463.50</u>	389 <u>396.50</u>	331 <u>338.50</u>	283 <u>290.50</u>
7	88,001 - 90,000	476 <u>483.50</u>	406 <u>413.50</u>	345 <u>352.50</u>	295 <u>302.50</u>
8	90,001 - 92,000	496 <u>503.50</u>	423 <u>430.50</u>	359 <u>366.50</u>	307 <u>314.50</u>
9	92,001 - 94,000	516 <u>523.50</u>	440 <u>447.50</u>	373 <u>380.50</u>	319 <u>326.50</u>
10	94,001 - 96,000	536 <u>543.50</u>	457 <u>464.50</u>	387 <u>394.50</u>	331 <u>338.50</u>
11	96,001 - 98,000	556 <u>563.50</u>	474 <u>481.50</u>	401 <u>408.50</u>	343 <u>350.50</u>
12	98,001 - 100,000	576 <u>583.50</u>	491 <u>498.50</u>	415 <u>422.50</u>	355 <u>362.50</u>
13	100,001 - 102,000	596 <u>603.50</u>	508 <u>515.50</u>	429 <u>436.50</u>	367 <u>374.50</u>
14	102,001 - 104,000	616 <u>623.50</u>	525 <u>532.50</u>	443 <u>450.50</u>	379 <u>386.50</u>
15	104,001 - 105,500	636 <u>643.50</u>	542 <u>549.50</u>	457 <u>464.50</u>	391 <u>398.50</u>

6. A motor vehicle registered in subsection 5 may be used for custom combining operations by displaying identification issued by the department and upon payment of a fee of twenty-five dollars.

SECTION 2. AMENDMENT. Section 39-04.2-03 of the North Dakota Century Code is amended and reenacted as follows:

39-04.2-03. Additional registration fee - Deposit in fund. At the time of registering a motor vehicle subject to registration under section 39-04-19, the owner shall pay to the director in addition to the registration fee a fee of ~~two~~ three dollars for each motor vehicle registered. The fee must be deposited with the state treasurer, who shall credit the fee to the public transportation fund.

SECTION 3. AMENDMENT. Section 39-04.2-04 of the North Dakota Century Code is amended and reenacted as follows:

39-04.2-04. Distribution of funds.

1. Moneys appropriated by the legislative assembly to the public transportation fund must be disbursed under guidelines issued by the director. The funds must be used by transportation providers to establish and maintain public transportation,

especially for the elderly and handicapped, and may be used to contract to provide public transportation, as matching funds to procure money from other sources for public transportation and for other expenditures authorized by the director.

2. Following authorization of the director, the state treasurer shall pay the public transportation funds to transportation providers in each county. Each county shall receive ~~twelve~~ eighteen thousand ~~two~~ three hundred dollars plus one dollar and fifty cents per capita of population in the county, based upon the latest regular or special official federal census. Each year the director shall increase or decrease the one dollar and fifty cents per capita amount in order to distribute all funds appropriated for the biennium. If there are multiple transportation providers in one county, then the base amount of ~~twelve~~ eighteen thousand ~~two~~ three hundred dollars must be divided equally among the providers and the additional per capita amount must be based upon the percentage of elderly and handicapped ridership provided by each transportation provider within the county.

3. Unless otherwise provided by law, any moneys remaining in the fund at the end of each biennium must be retained in the public transportation fund for redistribution.

SECTION 4. A new section to chapter 57-40.3 of the North Dakota Century Code is created and enacted as follows:

Separate and additional motor vehicle excise tax - Transfer of revenue. In addition to the tax otherwise imposed under section 57-40.3-02, there is imposed an excise tax at the rate of one-half of one percent on the purchase price of any motor vehicle purchased or acquired in or outside this state for use on the streets and highways of this state and required to be registered under the laws of this state. The entire revenue from tax imposed under this section must be transmitted monthly by the director of the department of transportation to the state treasurer and deposited in the state highway fund.

SECTION 5. AMENDMENT. Section 57-40.3-10 of the North Dakota Century Code is amended and reenacted as follows:

57-40.3-10. Transfer of revenue. All Except as otherwise provided in section 1 of this Act, all moneys collected and received under this chapter must be transmitted monthly by the director of the department of transportation to the state treasurer to be transferred and credited to the general fund.

- 1 **SECTION 6. REPEAL.** Section 7 of chapter 12 of the 2003 Session Laws is repealed.
- 2 **SECTION 7. EFFECTIVE DATE.** This Act is effective for taxable events occurring after
- 3 June 30, 2005.