

Fifty-ninth
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2101

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 39-01-15, a new subsection
2 to section 39-04-05, and a new subsection to section 39-04-06 of the North Dakota Century
3 Code, relating to mobility impaired parking permits and grounds for refusing or suspending a
4 vehicle registration; and to amend and reenact subdivision I of subsection 2 of section
5 39-04-18, subsection 1 of section 39-29-01, and subsection 1 of section 57-40.3-01 of the
6 North Dakota Century Code, relating to registration of house mover vehicles and the definition
7 of an all-terrain vehicle.

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

9 **SECTION 1.** A new subsection to section 39-01-15 of the North Dakota Century Code
10 is created and enacted as follows:

11 The department may provide for the issuance of mobility impaired parking permits
12 for entities or care providers licensed by the state which, as part of their business
13 operation, are required to transport mobility impaired persons and need to park in
14 designated parking spaces while transporting mobility impaired persons.

15 **SECTION 2.** A new subsection to section 39-04-05 of the North Dakota Century Code
16 is created and enacted as follows:

17 When a motor carrier has been ordered out of service by the federal motor carrier
18 safety administration.

19 **SECTION 3.** A new subsection to section 39-04-06 of the North Dakota Century Code
20 is created and enacted as follows:

21 When a motor carrier has been ordered out of service by the federal motor carrier
22 safety administration.

23 **SECTION 4. AMENDMENT.** Subdivision I of subsection 2 of section 39-04-18 of the
24 North Dakota Century Code is amended and reenacted as follows:

1 I. Motor vehicles owned and operated by ~~the holder of a valid building mover's~~
2 ~~permit issued by the public service commission; a resident building mover~~ or
3 by a resident well driller; provided, however, that such vehicles are used only
4 for moving buildings or building moving equipment, or are used only for
5 drilling water wells or moving water well-drilling equipment; provided, further,
6 that such vehicles display a license plate issued by the director upon the
7 payment of a fee of twenty-five dollars for two axle trucks, fifty dollars for
8 tandem axle trucks and single axle truck-tractor units, and seventy-five dollars
9 for each tandem axle truck-tractor unit.

10 Any vehicle which has been issued this special motor vehicle license
11 may be registered under the regular motor vehicle registration law, by
12 payment of the difference between the amount paid for the special motor
13 vehicle license and the regular registration fee for such vehicle.

14 Any vehicle which has been issued this special motor vehicle license
15 and is found being operated upon the highways of this state without being
16 equipped with special house-moving or well-drilling equipment shall forfeit the
17 fee paid and, in addition, must be required to register under the regular motor
18 vehicle registration law of this state. None of the above limitations may be
19 construed as restricting the operation of the special licensed vehicle when
20 such operation would not require a greater fee than that paid for this
21 operation.

22 **SECTION 5. AMENDMENT.** Subsection 1 of section 39-29-01 of the North Dakota
23 Century Code is amended and reenacted as follows:

- 24 1. "All-terrain vehicle" means any motorized off-highway vehicle fifty inches [1270.00
25 millimeters] or less in width, ~~having a dry weight of one thousand pounds [453.59~~
26 ~~kilograms] or less~~, traveling on three or more low-pressure tires, designed for
27 operator use only with no passengers, having a seat or saddle designed to be
28 straddled by the operator, and handlebars for steering control.

29 **SECTION 6. AMENDMENT.** Subsection 1 of section 57-40.3-01 of the North Dakota
30 Century Code is amended and reenacted as follows:

- 1 1. "All-terrain vehicle" means any motorized off-highway vehicle fifty inches
- 2 [1270 millimeters] or less in width, ~~having a dry weight of one thousand pounds~~
- 3 ~~[453.59 kilograms] or less~~, traveling on three or more low-pressure tires, designed
- 4 for operator use only with no passengers, having a seat or saddle designed to be
- 5 straddled by the operator, and handlebars for steering control.