

Sixtieth
Legislative Assembly
of North Dakota

SENATE BILL NO. 2113

Introduced by

Transportation Committee

(At the request of the Department of Transportation)

1 A BILL for an Act to amend and reenact subsection 9 of section 39-04-05, section 39-19-06,
2 and subsection 3 of section 57-40.3-04 of the North Dakota Century Code, relating to refusing
3 motor vehicle registration, adopting the unified carrier registration plan, and claiming a motor
4 vehicle excise tax exemption; and to declare an emergency.

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

6 **SECTION 1. AMENDMENT.** Subsection 9 of section 39-04-05 of the North Dakota
7 Century Code is amended and reenacted as follows:

8 9. When the vehicle is operating in violation of the provisions of the international
9 registration plan ~~or~~, international fuel tax agreement, or the unified carrier
10 registration plan.

11 **SECTION 2. AMENDMENT.** Section 39-19-06 of the North Dakota Century Code is
12 amended and reenacted as follows:

13 **39-19-06. ~~Single state insurance~~ Unified carrier registration system.** The director
14 may adopt all rules necessary to enable this state to participate in the ~~single state insurance~~
15 unified carrier registration system for motor carriers authorized by ~~section 4005 of the~~
16 ~~Intermodal Surface Transportation Efficiency Act of 1991 [Pub. L. No. 102-240, 105 Stat. 1914,~~
17 ~~49 U.S.C. 11506]~~ subtitle C of the Safe, Accountable, Flexible, Efficient Transportation Act of
18 2005 [Pub. L. 109-59; 119 Stat. 1761; 49 U.S.C. 14504a] and by applicable rules and
19 regulations ~~of the interstate commerce commission.~~ In determining whether to adopt rules as
20 permitted by this section, the director shall consider the costs and benefits to the state of
21 participating in the ~~single state insurance~~ unified carrier registration program. Any moneys
22 derived from participation in the ~~single state insurance~~ unified carrier registration program must
23 be deposited in the highway fund.

1 **SECTION 3. AMENDMENT.** Subsection 3 of section 57-40.3-04 of the North Dakota
2 Century Code is amended and reenacted as follows:

- 3 3. Motor carrier vehicles in excess of twenty thousand pounds [9071.85 kilograms]
4 gross weight, whether owned or leased, engaged in interstate commerce but only
5 to the extent their fleet miles outside North Dakota bear to their total fleet miles.
6 For the purposes of this subsection, "fleet miles" means those miles reported in
7 accordance with the international registration plan and must coincide with the
8 mileage reporting period required by the plan. For the purposes of this subsection,
9 "motor carrier vehicles" means any vehicles used upon public streets or highways
10 for the purpose of transporting persons or property for commercial purposes. To
11 claim this exemption, the motor carrier's vehicles must be both titled and registered
12 in this state.

13 **SECTION 4. EMERGENCY.** This Act is declared to be an emergency measure.