

Sixtieth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1089

Introduced by

Transportation Committee

(At the request of the Department of Transportation)

1 A BILL for an Act to amend and reenact sections 39-26-12, 39-29.1-01, and 39-29.1-08 of the
2 North Dakota Century Code, relating to the abandoned motor vehicle fund and low-speed
3 vehicles.

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

5 **SECTION 1. AMENDMENT.** Section 39-26-12 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **39-26-12. Tax on initial motor vehicle certificates of title - When tax is suspended.**

8 There is hereby imposed a tax of two dollars on each initial North Dakota certificate of title
9 issued to a passenger motor vehicle or a truck motor vehicle. The proceeds of such tax must
10 be paid into the abandoned motor vehicle disposal fund in the state treasury. No registration
11 plates or title certificate may be issued unless such tax is paid. Expenses of the fund arising
12 from the provisions of this chapter must be paid from the fund within the limits of legislative
13 appropriation. If on the first day of ~~July~~ June in any year the amount of uncommitted money in
14 the abandoned motor vehicle disposal fund is two hundred fifty thousand dollars or more, the
15 tax must be suspended on the first day of July in the same year and the amount in excess of
16 two hundred fifty thousand dollars must be transferred to the highway fund. If the tax has been
17 suspended and on the first day of July in any year the amount of uncommitted money in the
18 abandoned motor vehicle disposal fund is one hundred thousand dollars or less the tax must be
19 reimposed on and after January first of the succeeding year.

20 **SECTION 2. AMENDMENT.** Section 39-29.1-01 of the North Dakota Century Code is
21 amended and reenacted as follows:

22 **39-29.1-01. Definitions.** As used in this chapter, unless the context otherwise
23 requires:

- 1 1. "Low-speed vehicle" means a four-wheeled vehicle that is able to attain a speed,
2 upon a paved level surface, of more than twenty miles [32 kilometers] per hour in
3 one mile [1.6 kilometers] and not more than twenty-five miles [40 kilometers] per
4 hour in one mile [1.6 kilometers] and may not exceed ~~one~~ three thousand ~~five~~
5 ~~hundred~~ pounds [~~680.39~~ 1361 kilograms] in ~~unloaded~~ weight when fully loaded
6 with passengers and any cargo.
- 7 2. "Operate" means to ride in or on and control the operation of a low-speed vehicle.
- 8 3. "Register" means the act of assigning a registration number to a low-speed
9 vehicle.

10 **SECTION 3. AMENDMENT.** Section 39-29.1-08 of the North Dakota Century Code is
11 amended and reenacted as follows:

12 **39-29.1-08. Equipment.** A low-speed vehicle must be equipped with headlamps, front
13 and rear turn signal lamps, taillamps, stop lamps, red reflex reflectors on each side as far to the
14 rear of the vehicle as practicable and one red reflector on the rear, brakes, a parking brake, a
15 windshield, a vehicle identification number, a safety belt assembly installed at each designated
16 seating position, an exterior mirror mounted on the operator's side of the vehicle, and either an
17 exterior mirror mounted on the passenger's side of the vehicle or an interior rearview mirror.