

1 A BILL for an Act to amend and reenact subsection 7 of section 19-03.1-23 of the North Dakota  
2 Century Code, relating to drugs in a motor vehicle.

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

4 **SECTION 1. AMENDMENT.** Subsection 7 of section 19-03.1-23 of the North Dakota  
5 Century Code is amended and reenacted as follows:

6 7. Except as provided by section 19-03.1-45, a court may order ~~a person~~ an  
7 individual who violates this chapter or chapter 19-03.4 to undergo a drug addiction  
8 evaluation by a licensed addiction counselor. The court shall order an individual  
9 who violates this chapter or chapter 19-03.4 to undergo a drug addiction evaluation  
10 by a licensed addiction counselor if the offense occurred while the individual was  
11 operating a motor vehicle or in actual physical control of a motor vehicle and shall  
12 suspend the driving privileges of the individual for thirty days. The evaluation must  
13 indicate the prospects for rehabilitation and whether addiction treatment is  
14 required. If ordered, the evaluation must be submitted to the court before imposing  
15 punishment for a felony violation or a misdemeanor violation. If the individual is  
16 found to be in need of alcohol and substance abuse treatment and rehabilitation  
17 and that individual's license was suspended under this subsection, the court shall  
18 require the individual to complete alcohol and substance abuse treatment and  
19 rehabilitation as a condition of the return of driving privileges. The department may  
20 not return driving privileges unless the person provides evidence of satisfactory  
21 completion of treatment.