

Sixty-first  
Legislative Assembly  
of North Dakota

Introduced by

(At the request of the Department of Transportation)

1 A BILL for an Act to amend and reenact sections 39-04-10.8, 39-04-10.11, 39-04-10.12,  
2 subsection 3 of section 39-04-10.13, sections 39-04-14 and 39-04-14.1, subdivision j of  
3 subsection 2 of section 39-04-18, subsection 3 of section 39-04-19, sections 39-04-22,  
4 39-04-23, and 39-04-26 of the North Dakota Century Code, relating to registered gross weight.

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

6 **SECTION 1. AMENDMENT.** Section 39-04-10.8 of the North Dakota Century Code is  
7 amended and reenacted as follows:

8 **39-04-10.8. National guard number plates.** The director, in cooperation with the  
9 adjutant general, shall issue distinctive number plates to members of the national guard. A  
10 plate issued under this section must bear the national guard insignia designated by the adjutant  
11 general and the letters "NG" before the number. The director may issue the plates to the owner  
12 of a passenger motor vehicle or a truck the registered gross weight of which does not exceed  
13 ~~ten~~ twenty thousand pounds [4535.92 kilograms]. On request of the director, the adjutant  
14 general shall certify those members of the national guard eligible to receive the plates. On  
15 payment of all other fees required under this chapter for registration of the motor vehicle, and  
16 payment of an additional fee of not more than five dollars to cover the cost of issuing the  
17 distinctive number plates, the applicant is entitled to issuance of the distinctive number plates.  
18 A registrant is eligible for distinctive number plates under this section if the registrant is a  
19 member of the national guard or if the registrant has retired from the national guard after twenty  
20 years or more of military service. On termination of the registrant's eligibility, the registrant shall  
21 return the distinctive number plates to the director, who shall reissue for a fee of not more than  
22 five dollars another number plate to which that registrant is entitled under this chapter. The  
23 director and adjutant general shall cooperate in establishing procedures to implement this  
24 section.

1           **SECTION 2. AMENDMENT.** Section 39-04-10.11 of the North Dakota Century Code is  
2 amended and reenacted as follows:

3           **39-04-10.11. Firefighter's association plates.** The director, in cooperation with the  
4 North Dakota firefighter's association, shall design a decorative decal that contains an insignia  
5 representing service in the pursuit of firefighting and which is to be placed on a distinctive  
6 number plate. On payment of all other fees required under this chapter for registration of the  
7 motor vehicle, and payment of an additional annual fee of fifteen dollars for deposit in the  
8 highway fund, the applicant is entitled to issuance of the decals and plates. However, the  
9 director may not issue the decal and plates to the owner of a passenger motor vehicle or a truck  
10 the registered gross weight of which equals or exceeds ~~ten~~ twenty thousand pounds [4535.92  
11 kilograms]. A registrant is eligible for distinctive number plates under this section if the  
12 registrant is a member of the North Dakota firefighter's association. On request of the director,  
13 the North Dakota firefighter's association shall certify those members of the North Dakota  
14 firefighter's association eligible to receive the decals and plates. On termination of the  
15 registrant's eligibility, the registrant shall return the decals and plates to the director, who shall  
16 reissue for a fee of not more than five dollars another number plate to which that registrant is  
17 entitled under this chapter. The director and the North Dakota firefighter's association shall  
18 cooperate in establishing procedures to implement this section.

19           **SECTION 3. AMENDMENT.** Section 39-04-10.12 of the North Dakota Century Code is  
20 amended and reenacted as follows:

21           **39-04-10.12. North Dakota future farmers of America foundation number plates.**  
22 The director shall design a decorative decal that contains the insignia of the North Dakota FFA  
23 foundation to be placed on a distinctive number plate. On payment of all other fees required  
24 under this chapter for registration of the motor vehicle and payment of an additional fee of ten  
25 dollars, the applicant is entitled to issuance of the decals and plates. However, the director may  
26 not issue the decals and plates to the owner of a passenger motor vehicle or a truck the  
27 registered gross weight of which equals or exceeds ~~ten~~ twenty thousand pounds [4535.92  
28 kilograms].

29           **SECTION 4. AMENDMENT.** Subsection 3 of section 39-04-10.13 of the North Dakota  
30 Century Code is amended and reenacted as follows:

1           3.    Upon proper application for a plate in the organization number plate program and  
2                payment of all other fees required under this chapter for registration of the motor  
3                vehicle and payment of an additional annual fee of twenty-five dollars, a qualified  
4                applicant is entitled to issuance of a certain organization number plate. However,  
5                the director may not issue the plates to the owner of a passenger motor vehicle or  
6                a truck the registered gross weight of which equals or exceeds ~~ten~~ twenty  
7                thousand pounds [4535.92 kilograms].

8           **SECTION 5. AMENDMENT.** Section 39-04-14 of the North Dakota Century Code is  
9    amended and reenacted as follows:

10          **39-04-14. Renewal of registration.** Every vehicle registration, except those described  
11    in section 39-04-14.1, under this chapter expires on December thirty-first each year and must  
12    be renewed annually upon application by the owner and by payment of the fees required by  
13    law, such renewal to take effect on the first day of January each year. An owner who has made  
14    proper application for renewal of registration of a vehicle previous to January first but who has  
15    not received the number plates, plate, or registration card for the ensuing year is entitled to  
16    operate or permit the operation of such vehicle upon the highways upon displaying thereon the  
17    number plates or plate issued for the preceding year for such time, to be prescribed by the  
18    department, as may be required for the issuance of the new plates. If a previously registered  
19    motor vehicle whose registered gross weight exceeds ~~ten~~ twenty thousand pounds [4535.92  
20    kilograms] is purchased during the period the vehicle's registration in this state is expired, the  
21    registration fee must be prorated on a monthly basis from the date of purchase to January first.

22          **SECTION 6. AMENDMENT.** Section 39-04-14.1 of the North Dakota Century Code is  
23    amended and reenacted as follows:

24          **39-04-14.1. Renewal of registration of motor vehicles under certain weight.**  
25    Except as otherwise provided in this section, the registration of a motor vehicle whose  
26    registered gross weight does not exceed ~~ten~~ twenty thousand pounds [4535.92 kilograms]  
27    expires on the last day of the month which is the anniversary of the month it was originally  
28    registered. The registration may be renewed annually on application by the owner and  
29    payment of fees required by law. The renewal takes effect on the first day of the first month of  
30    the registration period. An owner of more than one vehicle qualifying for staggered registration  
31    under this section may renew all of the owner's vehicles in the same month. The director shall

1 prorate the registration fees accordingly. If a previously registered motor vehicle whose  
2 registered gross weight does not exceed ~~ten~~ twenty thousand pounds [4535.92 kilograms] is  
3 purchased during the period the vehicle's registration in this state is expired, the department  
4 shall collect the annual registration fee under section 39-04-19 and shall issue registration that  
5 expires on the last day of the month that is the anniversary of the month the vehicle was  
6 purchased.

7 **SECTION 7. AMENDMENT.** Subdivision j of subsection 2 of section 39-04-18 of the  
8 North Dakota Century Code is amended and reenacted as follows:

- 9 j. Motor vehicles not exceeding twenty-six thousand pounds [11793.40  
10 kilograms] registered gross weight owned and operated by a disabled veteran  
11 under the provisions of Public Law 79-663 [38 U.S.C. 3901] or who has a one  
12 hundred percent service-connected disability as determined by the  
13 department of veterans' affairs who is entitled to display a distinctive license  
14 plate issued by the department upon the payment of a fee of five dollars. This  
15 exemption applies to no more than two such motor vehicles owned by a  
16 disabled veteran at any one time.

17 **SECTION 8. AMENDMENT.** Subsection 3 of section 39-04-19 of the North Dakota  
18 Century Code is amended and reenacted as follows:

- 19 3. Motor vehicles acquired by disabled veterans under the provisions of Public Law  
20 79-663 [38 U.S.C. 3901] are exempt from the payment of state sales or use tax  
21 and, if paid, such veterans are entitled to a refund. This exemption also applies to  
22 any passenger motor vehicle or pickup truck not exceeding ~~ten~~ twenty thousand  
23 pounds [4535.92 kilograms] registered gross weight but shall apply to no more  
24 than two such motor vehicles owned by a disabled veteran at any one time.

25 **SECTION 9. AMENDMENT.** Section 39-04-22 of the North Dakota Century Code is  
26 amended and reenacted as follows:

27 **39-04-22. Motor vehicle exceeding registered gross weight for which licensed not**  
28 **to be operated on highway - Exception.** Except as otherwise provided by law, a motor  
29 vehicle, or a combination of motor vehicles, may not be operated upon the highways of this  
30 state when the registered gross weight exceeds the gross weight for which the vehicle or  
31 combination of vehicles was licensed. Any person violating the provisions of this section will be

1 required to license such motor vehicle at the higher legal rate in accordance with the weight  
2 carried by the motor vehicle at the time of the violation for the entire license period. However,  
3 such registration may not be construed to authorize the movement of loads in violation of  
4 chapter 39-12.

5 **SECTION 10. AMENDMENT.** Section 39-04-23 of the North Dakota Century Code is  
6 amended and reenacted as follows:

7 **39-04-23. Registered motor vehicle transporting property may change**  
8 **registration to higher or lower registered gross weight.** Any owner of a motor vehicle  
9 transporting property who has licensed the vehicle for any gross weight limitations may change  
10 the registration to a higher registered gross weight limitation by the payment of the difference  
11 between the fee required for the new registration and the fee paid for the registration under  
12 which the vehicle is being operated. The fee must equal one-twelfth of the annual higher  
13 registration fee less one-twelfth of the registration fee already paid, the difference multiplied by  
14 the number of whole and partial calendar months remaining in the registration period. In no  
15 event may the fee be less than five dollars.

16 **SECTION 11. AMENDMENT.** Section 39-04-26 of the North Dakota Century Code is  
17 amended and reenacted as follows:

18 **39-04-26. Registration of vehicles transporting property - Based on gross weight**  
19 **- Minimum gross weight - Exemption.** The registration and license fee for a motor vehicle or  
20 for any lawful combination of motor vehicles used for the transportation of property must be  
21 based upon the registered gross weight of the motor vehicle or combination of vehicles. The  
22 minimum gross weight for which the motor vehicle or combination of motor vehicles can be  
23 licensed is double the unloaded weight of the motor vehicle or combination of vehicles and,  
24 subject to the minimum, the owner of any motor vehicle or combination of vehicles in the  
25 application for license shall set out the gross weight for which the owner desires a license. The  
26 gross weight of any trailer, semitrailer, or farm trailer may not be included in the minimum gross  
27 weight for which a vehicle must be licensed when the vehicle or combination of vehicles is not  
28 for hire and when the gross weight of the trailer, semitrailer, or farm trailer being towed does not  
29 exceed twenty-four thousand pounds [10886.22 kilograms].