

February 16, 2011

PROPOSED AMENDMENTS TO SENATE BILL NO. 2255

Page 1, line 3, after "sections" insert "39-22-19,"

Page 1, line 4, after the first "to" insert "insurance for motor vehicle dealers and"

Page 1, line 4, remove "and"

Page 1, line 5, after "penalty" insert "; to provide an effective date; and to declare an emergency"

Page 1, after line 6, insert:

"SECTION 1. AMENDMENT. Section 39-22-19 of the North Dakota Century Code is amended and reenacted as follows:

39-22-19. Garage liability insurance requirement.

Before the issuance of a motor vehicle dealer license, the applicant must provide proof to the department of a continuous policy of garage liability insurance for the business operation of the applicant which includes general, business automobile, and sales, repair, or service operations liability as is appropriate to the business operation. The insurance company that issued the policy must notify the department of any cancellation, suspension, or revocation of the coverage. Any motor vehicle dealer who fails to maintain the insurance coverage required by this section shall return the dealer license and dealer number plates to the department on or before the effective date of the cancellation, suspension, or revocation. Failure to return the dealer license or dealer number plates results in automatic revocation by operation of law. The department may order the superintendent to take possession of any dealer license or dealer number plates not returned to the department as required in this section. The department shall reinstate the dealer license and dealer number plates only when proof of insurance coverage is received."

Page 2, line 2, replace "an" with "a primary"

Page 2, line 4, after "records" insert "or copies of records"

Page 2, line 6, after "the" insert "primary"

Page 2, line 12, remove "or"

Page 2, line 12, after "selling" insert ", or transporting"

Page 2, line 14, remove the overstrike over "~~does not include~~"

Page 2, line 14, remove "includes"

Page 2, line 18, replace "**Established**" with "**Primary established**"

Page 2, line 20, replace "an" with "a primary"

Page 2, line 22, replace "An" with "A primary"

Page 2, line 25, remove "and does not include a residence, tents, temporary stands, or other"

Page 2, line 26, remove "temporary quarters"

Page 2, line 26, after "The" insert "primary"

Page 2, line 26, remove "and primary display lot"

Page 2, line 27, remove "cover at least two thousand five hundred square feet [232.26 square meters] and"

Page 2, line 29, after "The" insert "primary"

Page 2, line 30, remove ", must include restroom"

Page 2, remove line 31

Page 3, remove line 1

Page 3, line 2, remove the first "business"

Page 3, line 2, after "records" insert "or copies"

Page 3, line 3, after the second "the" insert "primary"

Page 3, line 5, replace "An" with "A primary"

Page 3, line 6, remove ", be open to the public during normal business hours, with those hours"

Page 3, line 7, remove "posted"

Page 3, line 7, after "dealership" insert "with business hours posted"

Page 3, line 11, after the second "the" insert "primary"

Page 3, line 12, remove "first"

Page 3, line 12, remove "secure permission"

Page 3, line 13, replace "from" with "notify"

Page 3, line 17, remove "within five miles [8.05 kilometers] of the dealer's established place of"

Page 3, line 18, replace "business" with "if there is a primary established place of business in this state"

Page 3, line 23, after "lots" insert "or equipment shows"

Page 5, line 4, remove "deny an"

Page 5, remove lines 5 through 10

Page 5, line 11, remove "place of business"

Page 5, line 11, overstrike the comma and insert immediately thereafter "deny an application for a dealer's license or suspend, revoke, or cancel a dealer's license after it has been granted for making any material misstatement by an applicant in the application for a license; willfully failing to comply with this chapter; willfully violating a law relating to the sale, distribution, or financing of trailers; ceasing to have a primary established place of business;"

Page 5, line 11, overstrike "for"

Page 6, after line 11, insert:

"SECTION 9. EFFECTIVE DATE. Except as otherwise provided in this Act, this Act becomes effective on January 1, 2012.

SECTION 10. EMERGENCY. Section 1 of this Act is declared to be an emergency measure."

Renumber accordingly