

Sixty-third
Legislative Assembly
of North Dakota

SENATE BILL NO. 2042

Introduced by

Legislative Management

(Transportation Committee)

1 A BILL for an Act to amend and reenact section 39-05-20.3 of the North Dakota Century Code,
2 relating to the refusal to issue a certificate of title for unsafe and unfit vehicles.

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

4 **SECTION 1. AMENDMENT.** Section 39-05-20.3 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **39-05-20.3. Grounds for refusing certificate of title.**

7 The department ~~shall~~may not issue a certificate of title or transfer a certificate of title ~~upon~~
8 ~~any of the following grounds~~if:

- 9 1. ~~When the~~The application contains any false or fraudulent statements ~~or when,~~ the
10 applicant has failed to furnish required information or reasonable additional information
11 requested by the department, ~~or when~~ the applicant is not entitled to the issuance of a
12 certificate of title under this chapter.
- 13 2. ~~When the~~The vehicle is mechanically unfit or unsafe to be operated or moved upon
14 the highways. A vehicle is unfit and unsafe if the vehicle has an out-of-state marked
15 title that includes a certificate for destruction or a notation on the title that the vehicle is
16 scrap, parts-only, junk, unrepairable, nonrebuildable, a dismantler, or any other similar
17 notation.
- 18 3. ~~When the~~The department has reason to believe the vehicle is a stolen or embezzled
19 vehicle or the granting of title would constitute a fraud against the rightful owner or
20 other person having valid lien upon the vehicle.
- 21 4. ~~When the~~The certificate of title is suspended or revoked for any reason ~~as provided in~~
22 ~~the motor vehicle laws of this state.~~
- 23 5. ~~When the~~The required fee has not been paid.
- 24 6. ~~When any~~Any sales tax or motor vehicle excise tax, properly due, has not been paid.

- 1 7. ~~For~~There is failure to provide security for payment of basic no-fault benefits and the
- 2 liabilities covered under motor vehicle liability insurance on a motor vehicle as required
- 3 by chapter 26.1-41.