

Sixty-fourth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1242

Introduced by

Representatives Kretschmar, Delmore, Klemin, Maragos, Owens, Ruby

Senators Burckhard, J. Lee, Rust, Sinner

1 A BILL for an Act to amend and reenact section 39-06.1-06 of the North Dakota Century Code,
2 relating to fees for speeding.

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

4 **SECTION 1. AMENDMENT.** Section 39-06.1-06 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **39-06.1-06. Amount of statutory fees.**

7 The fees required for a noncriminal disposition under section 39-06.1-02 or 39-06.1-03 must
8 be as follows:

- 9 1. For a nonmoving violation as defined in section 39-06.1-08, a fee of twenty dollars
10 except for a violation of any traffic parking regulation on any state charitable or penal
11 institution property or on the state capitol grounds, a fee in the amount of five dollars,
12 excluding a violation of subsection 10 of section 39-01-15.
- 13 2. For a moving violation as defined in section 39-06.1-09, a fee of twenty dollars, except
14 for:
 - 15 a. A violation of section 39-10-26, 39-10-26.2, 39-10-41, or 39-10-42, a fee of fifty
16 dollars.
 - 17 b. A violation of section 39-10-05 involving failure to yield to a pedestrian or
18 subsection 1 of section 39-10-28, a fee of fifty dollars.
 - 19 c. A violation of section 39-21-41.2, a fee of twenty-five dollars.
 - 20 d. A violation of subsection 1 of section 39-12-02 or section 39-08-23, a fee of one
21 hundred dollars.
 - 22 e. A violation of subdivision d of subsection 1 of section 39-12-04, a fee of one
23 hundred dollars.

- 1 f. A violation of subsection 1 of section 39-04-37 by an individual by becoming a
2 resident of this state, a fee of one hundred dollars.
- 3 g. A violation of subsection 2 of section 39-10-21.1, a fee of two hundred fifty
4 dollars.
- 5 h. A violation of section 39-10-59, a fee of one hundred dollars.
- 6 i. A violation of section 39-09-01, a fee of thirty dollars.
- 7 j. A violation of section 39-09-01.1, a fee of thirty dollars.
- 8 k. A violation of section 39-10-46 or 39-10-46.1, a fee of one hundred dollars.
- 9 3. For a violation of section 39-21-44 or a rule adopted under that section, a fee of two
10 hundred fifty dollars.

- 11 4. Except as provided in ~~subsections 7 and 11~~subsection 6, for a violation of section
12 39-09-02, or an equivalent ordinance, a fee established as follows:

13 Miles per hour over

14 lawful speed limit

Fee

15 1-5

\$ 5

16 6-10

\$ 5 plus \$1/each mph over 5 mph over limit

17 11-15

\$ 10 plus \$1/each mph over 10 mph over limit

18 16-20

\$ 15 plus \$2/each mph over 15 mph over limit

19 21-25

\$ 25 plus \$3/each mph over 20 mph over limit

20 26-35

\$ 40 plus \$3/each mph over 25 mph over limit

21 36-45

\$ 70 plus \$3/each mph over 35 mph over limit

22 46+ \$100 plus \$5/each mph over 45 mph over limit of two dollars for each mile an

23 hour over the limit.

- 24 5. On a highway on which the speed limit is a speed higher than fifty-five miles-
25 [88.51 kilometers] an hour, for a violation of section 39-09-02, or an equivalent
26 ordinance, a fee established as follows:

27 Miles per hour over

28 lawful speed limit

Fee

29 1-10

\$2/each mph over limit

30 11+

\$20 plus \$5/each mph over 10 mph over limit

- 31 6. For a violation of subsection 3 of section 39-21-46, a fee established as follows:

- a. Driving more than eleven hours since the last ten hours off duty, driving after fourteen hours on duty since the last ten hours off duty, driving after sixty hours on duty in seven days or seventy hours in eight days, no record of duty status or log book in possession, failing to retain previous seven-day record of duty status or log book, or operating a vehicle with four to six out-of-service defects, one hundred dollars;
- b. False record of duty status or log book or operating a vehicle with seven to nine out-of-service defects, two hundred fifty dollars;
- c. Operating a vehicle after driver placed out of service, operating a vehicle with ten or more out-of-service defects, or operating a vehicle that has been placed out of service prior to its repair, five hundred dollars; and
- d. All other violations of motor carrier safety rules adopted under subsection 3 of section 39-21-46, fifty dollars.

~~7-6.~~ On a highway on which the speed limit is posted in excess of ~~sixty-five~~fifty-five miles [104.64~~88.51~~ kilometers] an hour, ~~but lower than seventy miles [112.65 kilometers] an hour,~~ for a violation of section 39-09-02, or equivalent ordinance, a fee of ~~five~~four dollars for each mile ~~per~~an hour over the limit. On a highway on which the speed limit is posted at seventy miles [112.65 kilometers] an hour or higher, for a violation of section 39-09-02, or equivalent ordinance, a fee of five dollars for each mile an hour over the limit.

~~8-7.~~ For a violation of a school zone speed limit under subdivision b of subsection 1 of section 39-09-02, a fee of ~~forty~~eighty dollars for one through ten miles ~~per~~an hour over the posted speed; and ~~forty~~eighty dollars, plus ~~one~~two dollar for each additional mile ~~per~~an hour over ten miles per hour over the limit unless a greater fee would be applicable under this section.

~~9-8.~~ For a violation of a highway construction zone speed limit under subsection 2 of section 39-09-02, a fee of eighty dollars for one through ten miles ~~per~~an hour over the posted speed; and eighty dollars plus two dollars for each mile ~~per~~an hour over ten miles per hour over the limit, unless a greater fee would be applicable under this section. The fee in this subsection does not apply to a highway construction zone

- 1 unless individuals engaged in construction are present at the time and place of the
- 2 violation and the posted speed limit sign states "Minimum Fee \$80".