PROPOSED AMENDMENTS TO SENATE BILL NO. 2121

Page 1, line 1, remove "subsection 2 of section 39-06.1-06 and"

Page 1, line 2, remove "statutory fees and"

Page 1, remove lines 6 through 24

Page 2, remove lines 1 through 7

Renumber accordingly

Sixty-seventh Legislative Assembly of North Dakota

SENATE BILL NO. 2121

Introduced by

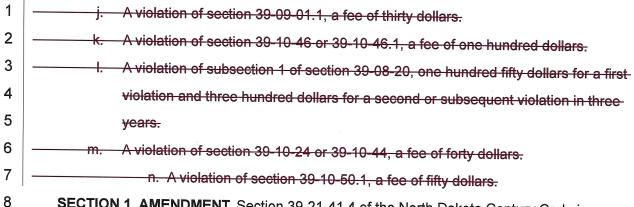
Senators Bekkedahl, Kreun, Patten

Representatives Mock, Schreiber-Beck, Zubke

- 1 A BILL for an Act to amend and reenact subsection 2 of section 39-06.1-06 and section
- 2 | 39-21-41.4 of the North Dakota Century Code, relating to statutory fees and safety belt usage;
- 3 to repeal section 39-21-41.5 of the North Dakota Century Code, relating to secondary
- 4 enforcement of safety belt requirements; and to provide a penalty.

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

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6	SECTION 1. AMENDMENT. Subsection 2 of section 39-06.1-06 of the North Dakota-
7	Century Code is amended and reenacted as follows:
8	2. For a moving violation as defined in section 39-06.1-09, a fee of twenty dollars, except-
9	for:
10	a. A violation of section 39-10-26, 39-10-26.2, 39-10-41, or 39-10-42, or 39-21-41.4,
11	a fee of fifty dollars.
12	b. A violation of section 39-10-05 involving failure to yield to a pedestrian or
13	subsection 1 of section 39-10-28, a fee of fifty dollars.
14	c. A violation of section 39-21-41.2, a fee of twenty-five dollars.
15	d. A violation of subsection 1 of section 39-12-02, section 39-08-23, or section
16	39-08-25, a fee of one hundred dollars.
17	e. A violation of subdivision d of subsection 1 of section 39-12-04, a fee of one
18	hundred dollars.
19	f. A violation of subsection 1 of section 39-04-37 by an individual by becoming a
20	resident of this state, a fee of one hundred dollars.
21	g. A violation of subsection 2 of section 39-10-21.1, a fee of two hundred fifty
22	dollars.
23	h. A violation of section 39-10-59, a fee of five hundred dollars.
24	i. A violation of section 39-09-01, a fee of thirty dollars.



SECTION 1. AMENDMENT. Section 39-21-41.4 of the North Dakota Century Code is amended and reenacted as follows:

39-21-41.4. Use of safety belts required in certain motor vehicles - Enforcement - Evidence.

Subject to the limitations of this section and section 39-21-41.5, a\(\Delta\) driver may not operate upon a highway a motor vehicle designed for carrying fewer than eleven passengers, which was originally manufactured with safety belts unless each front seat occupant is wearing a properly adjusted and fastened safety belt. This section does not apply to a child in a child restraint or safety belt in accordance with section 39-21-41.2; to drivers of implements of husbandry; to operators of farm vehicles as defined in subsection 5 of section 39-04-19; to rural mail carriers while on duty delivering mail; to an occupant with a medical or physically disabling condition that prevents appropriate restraint in a safety belt, if a qualified physician, physician assistant, or advanced practice registered nurse states in a signed writing the nature of the condition and the reason restraint is inappropriate; or when all front seat safety belts are in use by other occupants. A physician, physician assistant, or advanced practice registered nurse who, in good faith, provides a statement that restraint would be inappropriate is not subject to civil liability. A violation for not wearing a safety belt under this section is not, in itself, evidence of negligence. The fact of a violation of this section is not admissible in any proceeding other than one charging the violation.

SECTION 2. REPEAL. Section 39-21-41.5 of the North Dakota Century Code is repealed.