

FIRST ENGROSSMENT

ENGROSSED SENATE BILL NO. 2381

Introduced by

Senators Dwyer, Erbele, Sickler, Wanzek

Representative Nathe

1 A BILL for an Act to amend and reenact section 39-06-49, subsection 1 of section 39-06.2-07,
2 subsection 2 of section 39-06.2-08, subdivision c of subsection 3 of section 39-06.2-09,
3 sections 39-06.2-09.1, 39-06.2-13.1, and 39-06.2-19, and subsection 3 of section 39-16-03 of
4 the North Dakota Century Code, relating to driver's license fees.

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

6 **SECTION 1. AMENDMENT.** Section 39-06-49 of the North Dakota Century Code is
7 amended and reenacted as follows:

8 **39-06-49. Fees - Deposit in state highway fund.**

- 9 1. All money received under this chapter must be paid monthly into the highway fund in
10 the state treasury.
- 11 2. The fee for:
- 12 a. An application for a nondriver photo identification card is ~~eight~~twenty dollars.
- 13 b. Written testing for an application for an operator's license is ~~five~~ten dollars.
- 14 c. Initial, class change, and renewal permits is thirty dollars.
- 15 d. Online written testing for an application for an operator's license is ten dollars.
- 16 d-e. Actual ability testing for an application for ~~an~~ a noncommercial operator's license
17 is ~~five~~ten dollars, and a commercial operator's license is ten dollars.
- 18 e-f. An application for ~~an~~ a noncommercial operator's license is ~~fifteen~~thirty dollars
19 and a commercial operator's license is thirty dollars.
- 20 f-g. An application for a motorized bicycle operator's permit is ten dollars.

- 1 g-h. A substitute nondriver identification card or operator's license is ~~eightsixteen~~
2 dollars unless the substitute is for erroneous information due to a change in
3 name or address, then the fee is ~~threesix~~ dollars.
- 4 h-i. An A noncommercial operator's license renewal is ~~fifteen~~thirty dollars and a
5 commercial operator's license renewal is thirty dollars.
- 6 i-j. A nonresident commercial driver's license is forty dollars.
- 7 k. Reinstatement after suspension is ~~fiftyone hundred~~ dollars unless the suspension
8 was the result of a suspension under subsection 3, 4, or 6 of section 39-06-03 or
9 subsection 2 of section 39-06-32, then the fee is twenty-five dollars, or unless the
10 suspension was a result of a violation under section 39-08-01 or chapter 39-20,
11 then the fee is ~~one hundred~~two hundred dollars.
- 12 j-l. Reinstatement after revocation is ~~fiftyone hundred~~ dollars, unless the revocation
13 was imposed for a violation of subsection 6 of section 39-06-17 or section
14 39-06-31, 39-06-43, or 39-20-04, then the fee is ~~one hundred~~two hundred dollars.
- 15 m. A commercial license endorsement is six dollars for each endorsement.
- 16 n. The driving record for an employer of a commercial license holder is six dollars.
- 17 o. Operating record abstracts, records of clearance, or other record data are
18 six dollars per record.

19 3. Any application for which there is a fee must be accompanied by the proper fee.

20 **SECTION 2. AMENDMENT.** Subsection 1 of section 39-06.2-07 of the North Dakota
21 Century Code is amended and reenacted as follows:

- 22 1. An individual may not be issued a commercial driver's license unless that individual is
23 a resident of this state; has passed a knowledge and skills test that may include a
24 skills test or knowledge test administered by another state or skills test or knowledge
25 test results electronically submitted by another state, for driving a commercial motor
26 vehicle which complies with minimum federal standards established by federal
27 regulations enumerated in 49 CFR part 383, subparts G and H; and has satisfied all
28 other requirements of state and federal law, including the Commercial Motor Vehicle
29 Safety Act. The tests must be prescribed and conducted by the director. The applicant
30 shall pay the fee listed in section ~~39-06.2-19~~39-06-49 for each of the tests.

1 **SECTION 3. AMENDMENT.** Subsection 2 of section 39-06.2-08 of the North Dakota
2 Century Code is amended and reenacted as follows:

3 2. The application must be accompanied by an application fee listed in section
4 ~~39-06.2-1939-06-49~~. The application must contain any other information as the
5 director may require to improve identity security. The director shall require an applicant
6 for a commercial license or commercial learner's permit to provide documentary
7 evidence that confirms to the satisfaction of the director the true identity, date of birth,
8 and legal presence of the applicant and provide a social security card or other
9 satisfactory evidence of a social security number and proof of residence address, if not
10 previously provided or if there are changes to the information already on file.

11 **SECTION 4. AMENDMENT.** Subdivision c of subsection 3 of section 39-06.2-09 of the
12 North Dakota Century Code is amended and reenacted as follows:

13 c. Other restrictions may be placed upon a commercial driver's license, under
14 section 39-06-17. The applicant shall pay a fee listed in section
15 ~~39-06.2-1939-06-49~~ for each endorsement.

16 **SECTION 5. AMENDMENT.** Section 39-06.2-09.1 of the North Dakota Century Code is
17 amended and reenacted as follows:

18 **39-06.2-09.1. Nondomiciled commercial license.**

19 1. The department may issue a nondomiciled commercial driver's license to an applicant
20 who does not present a social security card as required by section 39-06.2-08 but who
21 otherwise meets the requirements for a nondomiciled commercial driver's license. A
22 license issued under this subsection is valid only during the period of time of the
23 applicant's authorized stay in the United States. The license may be renewed only
24 upon presentation of valid documentary evidence that the status has been extended.
25 The department shall renew without a skills or knowledge test a nondomiciled
26 commercial license that has been expired for a duration not longer than one year.

27 2. The fee for a nondomiciled commercial driver's license is listed in section
28 ~~39-06.2-1939-06-49~~.

29 **SECTION 6. AMENDMENT.** Section 39-06.2-13.1 of the North Dakota Century Code is
30 amended and reenacted as follows:

1 **39-06.2-13.1. Driving record information to be provided.**

2 Notwithstanding any other provision of law and upon payment of a fee listed in section
3 ~~39-06.2-19~~39-06-49, the director shall provide full information regarding the driving record of an
4 individual who has been issued a commercial driver's license to an employer or to a prospective
5 employer if the individual has given written consent to the prospective employer for this
6 information.

7 **SECTION 7. AMENDMENT.** Section 39-06.2-19 of the North Dakota Century Code is
8 amended and reenacted as follows:

9 **39-06.2-19. Fees - Deposit in highway fund.**

10 4. All money received under this chapter must be paid monthly to the highway fund in the
11 state treasury.

12 2. ~~The fee for:~~

13 a. ~~A commercial driver's license test is five dollars.~~

14 b. ~~An application for a commercial driver's license or permit is fifteen dollars.~~

15 c. ~~Each endorsement is three dollars.~~

16 d. ~~A nonresident commercial driver's license is twenty dollars.~~

17 e. ~~The driving record for an employer or prospective employer is three dollars~~ Fees
18 must be assessed in accordance with section 39-06-49.

19 **SECTION 8. AMENDMENT.** Subsection 3 of section 39-16-03 of the North Dakota Century
20 Code is amended and reenacted as follows:

21 3. ~~A~~The fee of three dollars listed under section 39-06-49 must be paid for each abstract
22 of any operating record, ~~operating record~~, complete operating record, or record of
23 clearance. A reasonable fee must be paid for each source document. The director may
24 not assess a fee to a law enforcement agency, a judicial officer, or another licensing
25 jurisdiction. The director shall send an additional copy of the abstract, source
26 document if requested in aggregate form, or record of clearance to the driver whose
27 record was requested, accompanied by a statement identifying the person making the
28 request, identifying the person for whom or which the request is made, identifying the
29 intended recipient of the record, and providing the reason for the request. An
30 additional copy of the abstract or record of clearance may not be sent to a driver if the
31 request for the record was made by the federal bureau of investigation or the United

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- 1 States central intelligence agency, or agents, or by any law enforcement agency or
- 2 judicial officer.