

Fifty-fifth  
Legislative Assembly  
of North Dakota

**HOUSE BILL NO. 1074**

Introduced by

Representatives Wald, Belter, Byerly, Grosz

Senators Kelsh, Solberg

1 A BILL for an Act to create and enact two new subdivisions to subsection 1 of section 39-09-02  
2 of the North Dakota Century Code, relating to speed limits greater than fifty-five miles an hour;  
3 and to amend and reenact subsection 8 of section 39-06.1-06, paragraph 34 of subdivision a of  
4 subsection 3 of section 39-06.1-10, and subdivisions f and g of subsection 1 of section  
5 39-09-02 of the North Dakota Century Code, relating to the speed limits and fees and demerits  
6 for violations of the speed limit.

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

8 **SECTION 1. AMENDMENT.** Subsection 8 of section 39-06.1-06 of the 1995  
9 Supplement to the North Dakota Century Code is amended and reenacted as follows:

10 8. On a highway on which the speed limit is a speed higher than fifty-five miles [88.51  
11 kilometers] an hour ~~as posted and designated by the commissioner pursuant to~~  
12 ~~subdivision g of subsection 1 of section 39-09-02~~, for a violation of section  
13 39-09-02, or an equivalent ordinance, a fee established as follows:

Miles per hour over	
lawful speed limit	Fee
1 - 5	\$ 10 plus \$1/each mph over limit
6 - 10	\$ 15 plus \$2/each mph over 5 mph over limit
11 - 15	\$ 25 plus \$3/each mph over 10 mph over limit
16 - 25	\$ 40 plus \$3/each mph over 15 mph over limit
26 - 35	\$ 70 plus \$3/each mph over 25 mph over limit
36 +	\$100 plus \$5/each mph over 35 mph over limit

22 **SECTION 2. AMENDMENT.** Paragraph 34 of subdivision a of subsection 3 of section  
23 39-06.1-10 of the 1995 Supplement to the North Dakota Century Code is amended and  
24 reenacted as follows:

(34) On a highway on which the  
speed limit is a speed higher  
than fifty-five miles [88.51  
kilometers] an hour ~~as posted~~  
~~and designated by the commissioner pursuant to~~  
~~subdivision g of subsection 1 of~~  
~~section 39-09-02~~, operating a  
motor vehicle in excess of the  
speed limit in violation of  
section 39-09-02, or equivalent  
ordinance

Miles per hour over lawful speed limit	Points
6 - 10	1
11 - 15	4
16 - 25	7
26 - 35	10
36 +	12

**SECTION 3. AMENDMENT.** Subdivisions f and g of subsection 1 of section 39-09-02  
of the 1995 Supplement to the North Dakota Century Code are amended and reenacted as  
follows:

- f. Fifty-five miles [88.51 kilometers] an hour ~~under other circumstances on~~  
~~gravel, dirt, or loose surface highways~~, unless otherwise permitted, restricted,  
or required by conditions, ~~and except as provided in subdivision g.~~
- g. ~~If a speed higher than fifty-five~~ Sixty-five miles [88.51 104.61 kilometers] an  
hour ~~is permitted under federal law without loss of federal funds to this state,~~  
~~and on paved two-lane highways~~, unless otherwise permitted, restricted, or  
required by conditions, ~~any higher speed so permitted and so designated and~~  
~~posted by the commissioner.~~

**SECTION 4.** Two new subdivisions to subsection 1 of section 39-09-02 of the 1995  
Supplement to the North Dakota Century Code are created and enacted as follows:

- 1                    Seventy miles [112.65 kilometers] an hour on paved and divided, multilane  
2                    highways, unless otherwise permitted, restricted, or required by conditions.
- 3                    Seventy-five miles [120.70 kilometers] an hour on access controlled, paved  
4                    and divided, multilane interstate highways, unless otherwise permitted,  
5                    restricted, or required by conditions.