

Fifty-fifth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1300

Introduced by

Representative Kretschmar

1 A BILL for an Act to amend and reenact sections 39-04-10.7, 39-04-19, and 39-21-41.4 of the
2 North Dakota Century Code, relating to motor vehicle registration fees for farm vehicles.

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

4 **SECTION 1. AMENDMENT.** Section 39-04-10.7 of the 1995 Supplement to the North
5 Dakota Century Code is amended and reenacted as follows:

6 **39-04-10.7. Special number plates for farm vehicles.** The director shall issue,
7 without an additional charge, upon application and payment of the registration fee, special
8 number plates or validation decals making them distinctly different from other number plates, to
9 any person registering a truck or combination of trucks and trailers as a farm vehicle ~~under~~
10 ~~section 39-04-19.~~ For the purposes of this section, farm vehicles are considered as trucks or
11 combinations of trucks and trailers weighing more than twenty thousand but no more than one
12 hundred five thousand five hundred pounds [more than 9071.84 but not more than 47854.00
13 kilograms] owned, or leased for at least one year, by a bona fide resident farmer who uses the
14 vehicles exclusively for transporting the farmer's own property or other property on a farm work
15 exchange basis with other farmers between farms and the usual local trading places but not in
16 connection with any commercial retail or wholesale business being conducted from those
17 farms, nor otherwise for hire. The director shall determine the form and size of the special
18 number plates or validation decals and shall adopt rules governing the issuance of these
19 special number plates or validation decals.

20 **SECTION 2. AMENDMENT.** Section 39-04-19 of the 1995 Supplement to the North
21 Dakota Century Code is amended and reenacted as follows:

22 **39-04-19. (Effective until June 30, 2000) Motor vehicle registration fees and mile**
23 **tax.** Motor vehicles required to pay registration fees or a mile tax shall pay the following fees:

1. Nonresidents electing to pay mile tax in lieu of registration, when authorized to do so by the department, shall pay a fee of twenty dollars for a trip permit which is valid for a period of seventy-two hours. All fees collected under the provisions of this subsection must be credited to the highway construction fund.

2. Motor vehicles required to be registered in this state must be furnished license plates upon the payment of the following annual fees; however, if a motor vehicle first becomes subject to registration other than at the beginning of the registration period, such fees must be prorated on a monthly basis. The minimum fee charged hereunder must be five dollars:

a. Passenger motor vehicles:

YEARS REGISTERED

	1st, 2nd, 3rd, 4th, 5th and 6th Years	7th, 8th, and 9th Years	10th, 11th, and 12th Years	13th and Subsequent Years
Gross Weights				
Less than 3,200	\$ 49.00	\$ 41.00	\$ 33.00	\$ 25.00
3,200-4,499	69.00	57.00	45.00	33.00
4,500-4,999	87.00	70.00	55.00	39.00
5,000-5,999	118.00	96.00	74.00	52.00
6,000-6,999	151.00	122.00	93.00	65.00
7,000-7,999	184.00	148.00	113.00	78.00
8,000-8,999	217.00	175.00	133.00	91.00
9,000 and over	250.00	201.00	153.00	104.00

A house car is subject to registration at the rates prescribed for other vehicles under this subdivision modified by using the weight applicable to a vehicle whose weight is forty percent of that of the house car, but not using a weight of less than four thousand pounds [1814.35 kilograms].

b. Schoolbuses, buses for hire, buses owned and operated by religious, charitable, or nonprofit organizations and used exclusively for religious, charitable, or other public nonprofit purposes, and trucks or combination trucks and trailers, including commercial and noncommercial trucks, ~~except~~

1	these trucks or combinations of trucks and trailers which qualify for				
2	registration under subsection 5:				
3	YEARS REGISTERED				
4		1st, 2nd,	7th and	9th and	11th and
5	Gross	3rd, 4th, 5th,	8th	10th	Subsequent
6	Weights	and 6th Years	Years	Years	Years
7	not over 4,000	\$47.00	\$34.00	\$29.00	\$26.00
8	4,001 - 6,000	52.00	39.00	33.00	27.00
9	6,001 - 8,000	57.00	44.00	37.00	28.00
10	8,001 -10,000	62.00	49.00	41.00	30.00
11	10,001-12,000	67.00	54.00	45.00	32.00
12	12,001-14,000	72.00	59.00	49.00	35.00
13	14,001-16,000	77.00	64.00	53.00	38.00
14	16,001-18,000	82.00	69.00	57.00	40.00
15	18,001-20,000	85.00	72.00	59.00	41.00
16	YEARS REGISTERED				
17		1st, 2nd, 3rd,	8th, 9th, 10th,	13th and	
18	Gross	4th, 5th, 6th,	11th, and	Subsequent	
19	Weights	and 7th Years	12th Years	Years	
20	20,001- 22,000	\$ 115.00	\$ 89.00	\$ 76.00	
21	22,001- 26,000	167.00	137.00	121.00	
22	26,001- 30,000	228.00	186.00	164.00	
23	30,001- 34,000	294.00	239.00	211.00	
24	34,001- 38,000	355.00	288.00	254.00	
25	38,001- 42,000	416.00	337.00	296.00	
26	42,001- 46,000	477.00	385.00	339.00	
27	46,001- 50,000	538.00	434.00	382.00	
28	50,001- 54,000	608.00	492.00	433.00	
29	54,001- 58,000	669.00	541.00	476.00	
30	58,001- 62,000	730.00	590.00	519.00	
31	62,001- 66,000	791.00	638.00	562.00	

Fifty-fifth
Legislative Assembly

1	66,001- 70,000	852.00	687.00	604.00
2	70,001- 74,000	913.00	736.00	647.00
3	74,001- 78,000	974.00	785.00	690.00
4	78,001- 82,000	1,035.00	834.00	733.00
5	82,001- 86,000	1,158.00	939.00	820.00
6	86,001- 90,000	1,280.00	1,043.00	907.00
7	90,001- 94,000	1,402.00	1,148.00	994.00
8	94,001- 98,000	1,524.00	1,253.00	1,082.00
9	98,001-102,000	1,646.00	1,357.00	1,169.00
10	102,001-105,500	1,768.00	1,462.00	1,256.00

11 c. Motorcycles, fifteen dollars.

12 3. Motor vehicles acquired by disabled veterans under the provisions of Public Law
13 79-663 [38 U.S.C. 1901] are exempt from the payment of state sales or use tax
14 and, if paid, such veterans are entitled to a refund. This exemption also applies to
15 any passenger motor vehicle or pickup truck not exceeding ten thousand pounds
16 [4535.92 kilograms] gross weight but shall apply to no more than two such motor
17 vehicles owned by a disabled veteran at any one time.

18 4. Every trailer, semitrailer, and farm trailer required to be registered under this
19 chapter must be furnished registration plates upon the payment of a twenty dollar
20 annual fee. Every trailer, semitrailer, or farm trailer not required to be registered
21 under this chapter must be furnished an identification plate upon the payment of a
22 fee of five dollars.

23 ~~5. Trucks or combinations of trucks and trailers weighing more than twenty thousand~~
24 ~~but not more than one hundred five thousand five hundred pounds [more than~~
25 ~~9071.84 but not more than 47854.00 kilograms] which are used as farm vehicles~~
26 ~~only, are entitled to registration under the following fee schedule and the provisions~~
27 ~~of this subsection. Farm vehicles are considered, for the purpose of this~~
28 ~~subsection, as trucks or combinations of trucks and trailers weighing more than~~
29 ~~twenty thousand but not more than one hundred five thousand five hundred~~
30 ~~pounds [more than 9071.84 but not more than 47854.00 kilograms] owned, or~~
31 ~~leased for at least one year by a bona fide resident farmer who uses the vehicles~~

~~exclusively for transporting the farmer's own property or other property on a farm work exchange basis with other farmers between farms and the usual local trading places but not in connection with any commercial retail or wholesale business being conducted from those farms, nor otherwise for hire. In addition to the penalty provided in section 39-04-41, any person violating this subsection shall license for the entire license period the farm vehicle at the higher commercial vehicle rate in accordance with the weight carried by the farm vehicle at the time of the violation.~~

YEARS REGISTERED

	1st, 2nd,	7th and	9th and	11th and
Gross	3rd, 4th, 5th,	8th	10th	Subsequent
Weights	and 6th Years	Years	Years	Years
20,001-22,000	\$ 88.00	\$ 74.00	\$ 60.00	\$ 42.00
22,001-24,000	93.00	78.00	63.00	44.00
24,001-26,000	101.00	84.00	67.00	46.00
26,001-28,000	111.00	92.00	73.00	50.00
28,001-30,000	121.00	100.00	79.00	54.00
30,001-32,000	136.00	113.00	90.00	63.00
32,001-34,000	146.00	121.00	96.00	67.00
34,001-36,000	156.00	129.00	102.00	71.00
36,001-38,000	166.00	137.00	108.00	75.00
38,001-40,000	176.00	145.00	114.00	79.00
40,001-42,000	186.00	153.00	120.00	83.00
42,001-44,000	196.00	161.00	126.00	87.00
44,001-46,000	206.00	169.00	132.00	91.00
46,001-48,000	216.00	177.00	138.00	95.00
48,001-50,000	226.00	185.00	144.00	99.00
50,001-52,000	246.00	203.00	160.00	113.00
52,001-54,000	256.00	211.00	166.00	117.00
54,001-56,000	266.00	219.00	172.00	121.00
56,001-58,000	276.00	227.00	178.00	125.00
58,001-60,000	286.00	235.00	184.00	129.00

Fifty-fifth
Legislative Assembly

1	60,001-62,000	296.00	243.00	190.00	133.00
2	62,001-64,000	306.00	251.00	196.00	137.00
3	64,001-66,000	316.00	259.00	202.00	141.00
4	66,001-68,000	326.00	267.00	208.00	145.00
5	68,001-70,000	336.00	275.00	214.00	149.00
6	70,001-72,000	346.00	283.00	220.00	153.00
7	72,001-74,000	356.00	291.00	226.00	157.00
8	74,001-76,000	366.00	299.00	232.00	161.00
9	76,001-78,000	376.00	307.00	238.00	165.00
10	78,001-80,000	386.00	315.00	244.00	169.00
11	80,001-82,000	396.00	323.00	250.00	173.00
12	82,001-84,000	406.00	345.00	293.00	249.00
13	84,001-86,000	426.00	362.00	307.00	261.00
14	86,001-88,000	446.00	379.00	321.00	273.00
15	88,001-90,000	466.00	396.00	335.00	285.00
16	90,001-92,000	486.00	413.00	349.00	297.00
17	92,001-94,000	506.00	430.00	363.00	309.00
18	94,001-96,000	526.00	447.00	377.00	321.00
19	96,001-98,000	546.00	464.00	391.00	333.00
20	98,001-100,000	566.00	481.00	405.00	345.00
21	100,001-102,000	586.00	498.00	419.00	357.00
22	102,001-104,000	606.00	515.00	433.00	369.00
23	104,001-105,500	626.00	532.00	447.00	381.00

24 6. ~~A motor vehicle registered in subsection 5 may be used for custom combining~~
25 ~~operations by displaying identification issued by the department and upon payment~~
26 ~~of a fee of twenty five dollars.~~

27 **(Effective June 30, 2000) Motor vehicle registration fees and mile tax.** Motor
28 vehicles required to pay registration fees or a mile tax shall pay the following fees:

29 1. Nonresidents electing to pay mile tax in lieu of registration, when authorized to do
30 so by the department, shall pay a fee of twenty dollars for a trip permit which is

valid for a period of seventy-two hours. All fees collected under the provisions of this subsection must be credited to the highway construction fund.

2. Motor vehicles required to be registered in this state must be furnished license plates upon the payment of the following annual fees; however, if a motor vehicle first becomes subject to registration other than at the beginning of the registration period, such fees must be prorated on a monthly basis. The minimum fee charged hereunder must be five dollars:

- a. Passenger motor vehicles:

YEARS REGISTERED

	1st, 2nd, 3rd, 4th, and 5th Years	6th, 7th, and 8th Years	9th, 10th, and 11th Years	12th and Subsequent Years
Gross Weights				
Less than 3,200	\$ 49.00	\$ 41.00	\$ 33.00	\$ 25.00
3,200-4,499	69.00	57.00	45.00	33.00
4,500-4,999	87.00	70.00	55.00	39.00
5,000-5,999	118.00	96.00	74.00	52.00
6,000-6,999	151.00	122.00	93.00	65.00
7,000-7,999	184.00	148.00	113.00	78.00
8,000-8,999	217.00	175.00	133.00	91.00
9,000 and over	250.00	201.00	153.00	104.00

A house car is subject to registration at the rates prescribed for other vehicles under this subdivision modified by using the weight applicable to a vehicle whose weight is forty percent of that of the house car, but not using a weight of less than four thousand pounds [1814.35 kilograms].

- b. Schoolbuses, buses for hire, buses owned and operated by religious, charitable, or nonprofit organizations and used exclusively for religious, charitable, or other public nonprofit purposes, and trucks or combination trucks and trailers, including commercial and noncommercial trucks, ~~except these trucks or combinations of trucks and trailers which qualify for registration under subsection 5:~~

YEARS REGISTERED

Fifty-fifth
Legislative Assembly

1		1st, 2nd,	6th and	8th and	10th and
2	Gross	3rd, 4th,	7th	9th	Subsequent
3	Weights	and 5th Years	Years	Years	Years
4	not over 4,000	\$47.00	\$34.00	\$29.00	\$26.00
5	4,001- 6,000	52.00	39.00	33.00	27.00
6	6,001- 8,000	57.00	44.00	37.00	28.00
7	8,001-10,000	62.00	49.00	41.00	30.00
8	10,001-12,000	67.00	54.00	45.00	32.00
9	12,001-14,000	72.00	59.00	49.00	35.00
10	14,001-16,000	77.00	64.00	53.00	38.00
11	16,001-18,000	82.00	69.00	57.00	40.00
12	18,001-20,000	85.00	72.00	59.00	41.00
13	YEARS REGISTERED				
14		1st, 2nd, 3rd,	7th, 8th, 9th,	12th and	
15	Gross	4th, 5th,	10th, and 11th	Subsequent	
16	Weights	and 6th Years	Years	Years	
17	20,001- 22,000	\$ 115.00	\$ 89.00	\$ 76.00	
18	22,001- 26,000	167.00	137.00	121.00	
19	26,001- 30,000	228.00	186.00	164.00	
20	30,001- 34,000	294.00	239.00	211.00	
21	34,001- 38,000	355.00	288.00	254.00	
22	38,001- 42,000	416.00	337.00	296.00	
23	42,001- 46,000	477.00	385.00	339.00	
24	46,001- 50,000	538.00	434.00	382.00	
25	50,001- 54,000	608.00	492.00	433.00	
26	54,001- 58,000	669.00	541.00	476.00	
27	58,001- 62,000	730.00	590.00	519.00	
28	62,001- 66,000	791.00	638.00	562.00	
29	66,001- 70,000	852.00	687.00	604.00	
30	70,001- 74,000	913.00	736.00	647.00	
31	74,001- 78,000	974.00	785.00	690.00	

Fifty-fifth
Legislative Assembly

1	78,001- 82,000	1,035.00	834.00	733.00
2	82,001- 86,000	1,158.00	939.00	820.00
3	86,001- 90,000	1,280.00	1,043.00	907.00
4	90,001- 94,000	1,402.00	1,148.00	994.00
5	94,001- 98,000	1,524.00	1,253.00	1,082.00
6	98,001-102,000	1,646.00	1,357.00	1,169.00
7	102,001-105,500	1,768.00	1,462.00	1,256.00

8 c. Motorcycles, fifteen dollars.

9 3. Motor vehicles acquired by disabled veterans under the provisions of Public Law
10 79-663 [38 U.S.C. 1901] are exempt from the payment of state sales or use tax
11 and, if paid, such veterans are entitled to a refund. This exemption also applies to
12 any passenger motor vehicle or pickup truck not exceeding ten thousand pounds
13 [4535.92 kilograms] gross weight but shall apply to no more than two such motor
14 vehicles owned by a disabled veteran at any one time.

15 4. Every trailer, semitrailer, and farm trailer required to be registered under this
16 chapter must be furnished registration plates upon the payment of a twenty dollar
17 annual fee. Every trailer, semitrailer, or farm trailer not required to be registered
18 under this chapter must be furnished an identification plate upon the payment of a
19 fee of five dollars.

20 ~~5. Trucks or combinations of trucks and trailers weighing more than twenty thousand~~
21 ~~but not more than one hundred five thousand five hundred pounds [more than~~
22 ~~9071.84 but not more than 47854.00 kilograms] which are used as farm vehicles~~
23 ~~only, are entitled to registration under the following fee schedule and the provisions~~
24 ~~of this subsection. Farm vehicles are considered, for the purpose of this~~
25 ~~subsection, as trucks or combinations of trucks and trailers weighing more than~~
26 ~~twenty thousand but not more than one hundred five thousand five hundred~~
27 ~~pounds [more than 9071.84 but not more than 47854.00 kilograms] owned, or~~
28 ~~leased for at least one year by a bona fide resident farmer who uses the vehicles~~
29 ~~exclusively for transporting the farmer's own property or other property on a farm~~
30 ~~work exchange basis with other farmers between farms and the usual local trading~~
31 ~~places but not in connection with any commercial retail or wholesale business~~

being conducted from those farms, nor otherwise for hire. In addition to the penalty provided in section 39-04-41, any person violating this subsection shall license for the entire license period the farm vehicle at the higher commercial vehicle rate in accordance with the weight carried by the farm vehicle at the time of the violation.

YEARS REGISTERED

	1st, 2nd,	6th and	8th and	10th and
Gross	3rd, 4th,	7th	9th	Subsequent
Weights	and 5th Years	Years	Years	Years
20,001-22,000	\$ 88.00	\$ 74.00	\$ 60.00	\$ 42.00
22,001-24,000	93.00	78.00	63.00	44.00
24,001-26,000	101.00	84.00	67.00	46.00
26,001-28,000	111.00	92.00	73.00	50.00
28,001-30,000	121.00	100.00	79.00	54.00
30,001-32,000	136.00	113.00	90.00	63.00
32,001-34,000	146.00	121.00	96.00	67.00
34,001-36,000	156.00	129.00	102.00	71.00
36,001-38,000	166.00	137.00	108.00	75.00
38,001-40,000	176.00	145.00	114.00	79.00
40,001-42,000	186.00	153.00	120.00	83.00
42,001-44,000	196.00	161.00	126.00	87.00
44,001-46,000	206.00	169.00	132.00	91.00
46,001-48,000	216.00	177.00	138.00	95.00
48,001-50,000	226.00	185.00	144.00	99.00
50,001-52,000	246.00	203.00	160.00	113.00
52,001-54,000	256.00	211.00	166.00	117.00
54,001-56,000	266.00	219.00	172.00	121.00
56,001-58,000	276.00	227.00	178.00	125.00
58,001-60,000	286.00	235.00	184.00	129.00
60,001-62,000	296.00	243.00	190.00	133.00
62,001-64,000	306.00	251.00	196.00	137.00
64,001-66,000	316.00	259.00	202.00	141.00

Fifty-fifth
Legislative Assembly

1	66,001-68,000	326.00	267.00	208.00	145.00
2	68,001-70,000	336.00	275.00	214.00	149.00
3	70,001-72,000	346.00	283.00	220.00	153.00
4	72,001-74,000	356.00	291.00	226.00	157.00
5	74,001-76,000	366.00	299.00	232.00	161.00
6	76,001-78,000	376.00	307.00	238.00	165.00
7	78,001-80,000	386.00	315.00	244.00	169.00
8	80,001-82,000	396.00	323.00	250.00	173.00
9	82,001-84,000	406.00	345.00	293.00	249.00
10	84,001-86,000	426.00	362.00	307.00	261.00
11	86,001-88,000	446.00	379.00	321.00	273.00
12	88,001-90,000	466.00	396.00	335.00	285.00
13	90,001-92,000	486.00	413.00	349.00	297.00
14	92,001-94,000	506.00	430.00	363.00	309.00
15	94,001-96,000	526.00	447.00	377.00	321.00
16	96,001-98,000	546.00	464.00	391.00	333.00
17	98,001-100,000	566.00	481.00	405.00	345.00
18	100,001-102,000	586.00	498.00	419.00	357.00
19	102,001-104,000	606.00	515.00	433.00	369.00
20	104,001-105,500	626.00	532.00	447.00	381.00

21 6. ~~A motor vehicle registered in subsection 5 may be used for custom combining~~
22 ~~operations by displaying identification issued by the department and upon payment~~
23 ~~of a fee of twenty five dollars.~~

24 **SECTION 3. AMENDMENT.** Section 39-21-41.4 of the 1995 Supplement to the North
25 Dakota Century Code is amended and reenacted as follows:

26 **39-21-41.4. Use of safety belts required in certain motor vehicles - Enforcement.**

27 Subject to the limitations of this section and section 39-21-41.5, a driver may not operate upon
28 a highway a motor vehicle designed for carrying fewer than eleven passengers, which was
29 originally manufactured with safety belts unless each front seat occupant is wearing a properly
30 adjusted and fastened safety belt. This section does not apply to a child in a child restraint or
31 seatbelt in accordance with section 39-21-41.2; to drivers of implements of husbandry; to

1 operators of farm vehicles as defined in ~~subsection 5 of section 39-04-19~~ 39-04-10.7; to rural
2 mail carriers while on duty delivering mail; to an occupant with a medical or physically disabling
3 condition that prevents appropriate restraint in a safety belt, if a qualified physician states in a
4 signed writing the nature of the condition and the reason restraint is inappropriate; or when all
5 front seat safety belts are in use by other occupants. A physician who, in good faith, provides a
6 statement that restraint would be inappropriate is not subject to civil liability.