

**FIRST ENGROSSMENT
with Senate Amendments**

Fifty-sixth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1336

Introduced by

Representatives Jensen, S. Kelsh, Sveen

Senator Thane

1 A BILL for an Act to amend and reenact section 39-06.1-06 and subdivision h of subsection 1 of
2 section 39-09-02 of the North Dakota Century Code, relating to statutory fees for exceeding the
3 speed limit and to the speed limit on interstate highways.

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

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

7 **39-06.1-06. Amount of statutory fees.** The fees required for a noncriminal disposition
8 pursuant to either section 39-06.1-02 or 39-06.1-03 must be as follows:

9 1. For a nonmoving violation as defined in section 39-06.1-08, a fee of any amount
10 not to exceed twenty dollars.

11 2. For a moving violation as defined in section 39-06.1-09, a fee of twenty dollars,
12 except for:

13 a. A violation of section 39-10-41, 39-10-42, 39-10-46, or 39-10-46.1, a fee of
14 fifty dollars.

15 b. A violation of section 39-10-05 involving failure to yield to a pedestrian or
16 subsection 1 of section 39-10-28, a fee of fifty dollars.

17 3. Except as provided in subsection 8 of section 39-06.1-06, for a violation of section
18 39-09-02, or an equivalent ordinance, a fee established as follows:

Miles per hour over	Fee
lawful speed limit	
1 - 5	\$ 5
6 - 10	\$ 5 plus \$1/each mph over 5 mph over limit
11 - 15	\$ 10 plus \$1/each mph over 10 mph over limit
16 - 20	\$ 45 <u>30</u> plus \$ 2 <u>3</u> /each mph over 15 mph over limit

1	21 - 25	\$ 25 <u>45</u> plus \$ 3 <u>4</u> /each mph over 20 mph over limit
2	26 - 35	\$ 40 <u>65</u> plus \$ 3 <u>4</u> /each mph over 25 mph over limit
3	36 - 45	\$ 70 <u>105</u> plus \$ 3 <u>4</u> /each mph over 35 mph over limit
4	46 +	\$ 100 <u>145</u> plus \$5/each mph over 45 mph over limit

5 4. For a violation of section 39-09-01, or an ordinance defining careless driving, a fee
6 of thirty dollars.

7 5. For a violation of section 39-09-01.1, or an ordinance defining care required in
8 driving, a fee of not less than ten dollars nor more than thirty dollars.

9 6. Repealed by S.L. 1985, ch. 430, § 4.

10 7. For a violation of any traffic parking regulations, except a violation of subsection 10
11 of section 39-01-15, on any state charitable or penal institution property or on the
12 state capitol grounds, a fee in the amount of five dollars.

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

16 Miles per hour over

17	lawful speed limit	Fee
18	1 - 5	\$ 10 plus \$1/each mph over limit
19	6 - 10	\$ 15 plus \$2/each mph over 5 mph over limit
20	11 - 15	\$ 25 plus \$3/each mph over 10 mph over limit
21	16 - 25	\$ 40 <u>65</u> plus \$ 3 <u>4</u> /each mph over 15 mph over limit
22	26 - 35	\$ 70 <u>105</u> plus \$ 3 <u>4</u> /each mph over 25 mph over limit
23	36 +	\$ 100 <u>145</u> plus \$5/each mph over 35 mph over limit

24 9. For a violation of section 39-21-41.4, a fee not to exceed twenty dollars.

25 **SECTION 2. AMENDMENT.** Subdivision h of subsection 1 of section 39-09-02 of the
26 North Dakota Century Code is amended and reenacted as follows:

27 h. ~~Seventy~~ Seventy-five miles [~~142.65~~ 120.69 kilometers] an hour on
28 access-controlled, paved and divided, multilane interstate highways, unless
29 otherwise permitted, restricted, or required by conditions.