

**FIRST ENGROSSMENT  
with House Amendments**

**ENGROSSED SENATE BILL NO. 2308**

Introduced by

Senators Tallackson, Lyson

Representatives Aarsvold, Wald

1 A BILL for an Act to amend and reenact subsection 1 of section 39-16.1-09 and subsection 1 of  
2 39-16.1-19 of the North Dakota Century Code, relating to proof of insurance; to provide for  
3 application; and to provide an expiration date.

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

5 **SECTION 1. AMENDMENT.** Subsection 1 of section 39-16.1-09 of the North Dakota  
6 Century Code is amended and reenacted as follows:

7 1. Proof of financial responsibility may be furnished by filing with the director the  
8 written or electronically transmitted certificate of any insurance carrier duly  
9 authorized to do business in this state certifying that there is in effect a motor  
10 vehicle liability policy for the benefit of the person required to furnish proof of  
11 financial responsibility. ~~Such~~ The certificate must give the effective date of ~~such~~  
12 the motor vehicle liability policy, which date shall be the same as the effective date  
13 of the certificate, and must designate by explicit description or by appropriate  
14 reference all motor vehicles covered ~~thereby~~ by the policy, unless the policy is an  
15 operator's policy. The director may charge an insurance carrier electronically  
16 transmitting or manually submitting a certificate a fee of one dollar and fifty cents.

17 **SECTION 2. AMENDMENT.** Subsection 1 of section 39-16.1-19 of the North Dakota  
18 Century Code is amended and reenacted as follows:

19 1. The director shall upon request consent to the immediate cancellation of any bond  
20 or certificate of insurance, or the director shall direct and the Bank of North Dakota  
21 shall return to the person entitled thereto any money or securities deposited  
22 pursuant to this chapter as proof of financial responsibility, or the director shall  
23 waive the requirement of filing proof, in any of the following events:

- 1           a. At any time after ~~one year~~ three years from the date ~~such~~ proof was required  
2           ~~when~~, if during the ~~one year~~ three-year period preceding the request; the  
3           director has not received record of a conviction or a forfeiture of bail which  
4           would require the revocation of the license or operating privilege, or both, of  
5           the person by or for whom ~~such~~ the proof was furnished.
- 6           b. The death of the person on whose behalf such proof was filed or the  
7           permanent incapacity of such person to operate a motor vehicle.
- 8           c. The surrender of the person's license to the director by the person who has  
9           given proof.

10           **SECTION 3. APPLICATION.** Section 2 of this Act applies to proof of responsibility  
11 required on or after the effective date of this Act.

12           **SECTION 4. EXPIRATION DATE.** Section 1 of this Act is effective through July 31,  
13 2005, and after that date is ineffective.