

SENATE BILL NO. 2325

Introduced by

Senators Tallackson, Dever

Representatives Aarsvold, Monson

1 A BILL for an Act to amend and reenact subsection 1 of section 39-08-20 of the North Dakota
2 Century Code, relating to the penalty for driving without liability insurance.

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

4 **SECTION 1. AMENDMENT.** Subsection 1 of section 39-08-20 of the North Dakota
5 Century Code is amended and reenacted as follows:

6 1. A person may not drive, or the owner may not cause or knowingly permit to be
7 driven, a motor vehicle in this state without a valid policy of liability insurance in
8 effect in order to respond in damages for liability arising out of the ownership,
9 maintenance, or use of that motor vehicle in the amount required by chapter
10 39-16.1. Upon being stopped by a law enforcement officer for the purpose of
11 enforcing or investigating the possible violation of an ordinance or state law or
12 during the investigation of an accident, the person driving the motor vehicle shall
13 provide to the officer upon request satisfactory evidence of the policy required
14 under this section. If unable to comply with the request, that person may be
15 charged with a violation of this section if that person fails to submit satisfactory
16 evidence of the policy to the officer or the officer's agency within twenty days of the
17 date of the request. If that person produces a valid policy of liability insurance in
18 effect at the time of violation of this section to the officer, officer's agency, or a
19 court, that person may not be convicted or assessed any court costs for violation of
20 this section. If the driver is not an owner of the motor vehicle, the driver does not
21 violate this section if the driver provides the court with evidence identifying the
22 owner of the motor vehicle and describing circumstances under which the owner
23 caused or permitted the driver to drive the motor vehicle. Violation of this section is
24 a class B misdemeanor and the sentence imposed must include a fine of at least

Fifty-eighth
Legislative Assembly

1 ~~one~~ two hundred fifty dollars which may not be suspended. A person convicted for
2 a second or subsequent violation of driving without liability insurance within an
3 eighteen-month period must be fined at least ~~three~~ five hundred dollars which may
4 not be suspended.