Fifty-ninth Legislative Assembly of North Dakota In Regular Session Commencing Tuesday, January 4, 2005

HOUSE BILL NO. 1412 (Representatives R. Kelsch, Delmore, Nelson, Porter) (Senators Lyson, Trenbeath)

AN ACT to amend and reenact subsection 1 of section 39-29-01 and subsection 10 of section 39-29-09 of the North Dakota Century Code, relating to passengers on all-terrain vehicles; and to declare an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subsection 1 of section 39-29-01 of the North Dakota Century Code is amended and reenacted as follows:

"All-terrain vehicle" means any motorized off-highway vehicle fifty inches [1270.00 millimeters] or less in width, having a dry weight of one thousand pounds [453.59 kilograms] or less, traveling on three or more low-pressure tires, designed for operator use only with no passengers, having a seat or saddle designed to be straddled by the operator, and handlebars for steering control.

SECTION 2. AMENDMENT. Subsection 10 of section 39-29-09 of the North Dakota Century Code is amended and reenacted as follows:

10. Passenger restrictions. No An operator of an all-terrain vehicle may not carry a passenger while operating the vehicle unless the vehicle is equipped and recommended by the manufacturer to carry a passenger and the passenger is carried as recommended by the manufacturer.

SECTION 3. EMERGENCY. This Act is declared to be an emergency measure.

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	Speaker of the House Chief Clerk of the House			Secretary of the Senate		
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Assembly o	of North D	akota and is	known on the r	records		the Fifty-ninth Legisl se Bill No. 1412 and or of said law.
Vote:	Yeas	91	Nays	0	Absent	3
	Speaker of the House				Chief Clerk of the House	
This certifies	s that two	o-thirds of the	members-elect	of the S	Senate voted in favor	of said law.
Vote:	Yeas	45	Nays	0	Absent	2
	President of the Senate			Secretary of the Senate		
Received by the Governor at M. on _					, 2005.	
Approved at	t	M. on				, 2005.
					Governor	
Filed in this office this day of						, 2005,
at						
					Secretary of State	