

**SENATE BILL NO. 2102
with House Amendments**

Fifty-ninth
Legislative Assembly
of North Dakota

SENATE BILL NO. 2102

Introduced by

Transportation Committee

(At the request of the Department of Transportation)

1 A BILL for an Act to amend and reenact subsection 3 of section 39-08-01 of the North Dakota
2 Century Code, relating to driving under the influence of intoxicating liquor repeat offenders and
3 impounding motor vehicle license plates.

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

5 **SECTION 1. AMENDMENT.** Subsection 3 of section 39-08-01 of the North Dakota
6 Century Code is amended and reenacted as follows:

7 3. Upon conviction of a second or subsequent offense within five years under this
8 section or equivalent ordinance, the court ~~may~~ must order the motor vehicle
9 number plates of all of the motor ~~vehiele~~ vehicles owned and operated by the
10 offender at the time of the offense to be impounded for the duration of the period of
11 suspension or revocation of the offender's driving privilege by the licensing
12 authority. The impounded number plates must be sent to the director who must
13 retain them for the period of suspension or revocation, subject to their disposition
14 by the court. The court may make an exception to this subsection, on an individual
15 basis, to avoid undue hardship to an individual who is completely dependent on
16 the motor vehicle for the necessities of life, including a family member of the
17 convicted individual and a coowner of the motor vehicle, but not including the
18 offender.