

SENATE BILL NO. 2101

Introduced by

Transportation Committee

(At the request of the Department of Transportation)

1 A BILL for an Act to create and enact a new subsection to section 39-01-15, a new subsection
2 to section 39-04-05, and a new subsection to section 39-04-06 of the North Dakota Century
3 Code, relating to mobility impaired parking permits and grounds for refusing or suspending a
4 vehicle registration; and to amend and reenact subdivision I of subsection 2 of section
5 39-04-18, subsection 3 of section 39-05-17.2, subsection 1 of section 39-29-01, and
6 subsection 1 of section 57-40.3-01 of the North Dakota Century Code, relating to registration of
7 house mover vehicles, the definition of a damaged vehicle, and the definition of an all-terrain
8 vehicle.

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

10 **SECTION 1.** A new subsection to section 39-01-15 of the North Dakota Century Code
11 is created and enacted as follows:

12 The department may provide for the issuance of no more than two mobility
13 impaired parking permits for entities or care providers licensed by the state which,
14 as part of their business operation, are required to transport mobility impaired
15 persons and need to park in designated parking spaces while transporting mobility
16 impaired persons.

17 **SECTION 2.** A new subsection to section 39-04-05 of the North Dakota Century Code
18 is created and enacted as follows:

19 When a motor carrier has been ordered out of service by the federal motor carrier
20 safety administration.

21 **SECTION 3.** A new subsection to section 39-04-06 of the North Dakota Century Code
22 is created and enacted as follows:

23 When a motor carrier has been ordered out of service by the federal motor carrier
24 safety administration.

1 **SECTION 4. AMENDMENT.** Subdivision 1 of subsection 2 of section 39-04-18 of the
2 North Dakota Century Code is amended and reenacted as follows:

3 I. Motor vehicles owned and operated by ~~the holder of a valid building mover's~~
4 ~~permit issued by the public service commission, a resident building mover or~~
5 by a resident well driller; provided, however, that such vehicles are used only
6 for moving buildings or building moving equipment, or are used only for drilling
7 water wells or moving water well-drilling equipment; provided, further, that
8 such vehicles display a license plate issued by the director upon the payment
9 of a fee of twenty-five dollars for two axle trucks, fifty dollars for tandem axle
10 trucks and single axle truck-tractor units, and seventy-five dollars for each
11 tandem axle truck-tractor unit.

12 Any vehicle which has been issued this special motor vehicle license
13 may be registered under the regular motor vehicle registration law, by
14 payment of the difference between the amount paid for the special motor
15 vehicle license and the regular registration fee for such vehicle.

16 Any vehicle which has been issued this special motor vehicle license
17 and is found being operated upon the highways of this state without being
18 equipped with special house-moving or well-drilling equipment shall forfeit the
19 fee paid and, in addition, must be required to register under the regular motor
20 vehicle registration law of this state. None of the above limitations may be
21 construed as restricting the operation of the special licensed vehicle when
22 such operation would not require a greater fee than that paid for this
23 operation.

24 **SECTION 5. AMENDMENT.** Subsection 3 of section 39-05-17.2 of the North Dakota
25 Century Code is amended and reenacted as follows:

26 3. As used in this section, "motor vehicle body damage" means a change in the body
27 or structure of a motor vehicle, generally resulting from a vehicular crash or
28 accident, including loss by fire, vandalism, weather, or submersion in water,
29 resulting in damage to the motor vehicle which equals or exceeds ~~the greater of~~
30 ~~eight thousand dollars or~~ forty percent of the predamage retail value of the motor
31 vehicle as determined by the national automobile dealers association official used

1 car guide. The term does not include body or structural modifications, normal wear
2 and tear, glass damage, hail damage, or items of normal maintenance and repair.

3 **SECTION 6. AMENDMENT.** Subsection 1 of section 39-29-01 of the North Dakota
4 Century Code is amended and reenacted as follows:

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

10 **SECTION 7. AMENDMENT.** Subsection 1 of section 57-40.3-01 of the North Dakota
11 Century Code is amended and reenacted as follows:

12 1. "All-terrain vehicle" means any motorized off-highway vehicle fifty inches
13 [1270 millimeters] or less in width, ~~having a dry weight of one thousand pounds~~
14 ~~[453.59 kilograms] or less~~, traveling on three or more low-pressure tires, designed
15 for operator use only with no passengers, having a seat or saddle designed to be
16 straddled by the operator, and handlebars for steering control.