

HOUSE BILL NO. 1090

Introduced by

Transportation Committee

(At the request of the Department of Transportation)

1 A BILL for an Act to amend and reenact sections 24-02-03.5, 39-02-05, 39-05-30, 39-18-02.1,
2 39-22.1-02.1, 39-24-05, and 39-29-05 of the North Dakota Century Code, relating to deposit of
3 fleet services and highway tax distribution funds.

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

5 **SECTION 1. AMENDMENT.** Section 24-02-03.5 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **24-02-03.5. User charges - Incidental revenues.** Each entity using the central vehicle
8 management system shall pay a user charge to the director. The user charge will be set by the
9 director and must be based upon the actual cost of the service provided, including depreciation.
10 The user charges and any proceeds from insurance claims, motor vehicle sales, commercial
11 refunds or rebates, or similarly derived proceeds must be remitted to the state treasurer for
12 deposit in the ~~highway~~ fleet services fund.

13 **SECTION 2. AMENDMENT.** Section 39-02-05 of the North Dakota Century Code is
14 amended and reenacted as follows:

15 **39-02-05. (See note for contingent expiration of amendment) Records of the**
16 **department open to public inspection.** Except as provided by chapter 39-33, all registration
17 and license records in the office of the department must be public records and must be open to
18 inspection by the public during business hours. The director shall charge a uniform fee, not to
19 exceed three dollars, for each item of information furnished to any person concerning a specific
20 motor vehicle. However, such charges may not be assessed to a person requesting
21 information concerning a motor vehicle of which that person is the owner, nor may such
22 charges apply to law enforcement officials requesting motor vehicle information in their official
23 capacity. All fees received under the provisions of this section must be credited to the ~~motor~~
24 ~~vehicle registration~~ highway tax distribution fund.

1 **SECTION 3. AMENDMENT.** Section 39-05-30 of the North Dakota Century Code is
2 amended and reenacted as follows:

3 **39-05-30. Fees and revenues collected placed in ~~motor registration~~ highway tax**
4 **distribution fund - Payment of salaries and expenses.** All fees and revenues received by
5 the director under the provisions of this chapter must be deposited by the director in the state
6 treasury. Such moneys must be placed in the ~~motor registration~~ highway tax distribution fund.
7 All salaries and other expenses incurred in connection with the provisions of this chapter must
8 be paid out of the ~~motor registration~~ highway tax distribution fund in the manner provided by law
9 for the disbursement of said fund.

10 **SECTION 4. AMENDMENT.** Section 39-18-02.1 of the North Dakota Century Code is
11 amended and reenacted as follows:

12 **39-18-02.1. Disposition of fees.** Fees from registration of dealers must be deposited
13 with the state treasurer and credited to the ~~motor vehicle registration~~ highway tax distribution
14 fund.

15 **SECTION 5. AMENDMENT.** Section 39-22.1-02.1 of the North Dakota Century Code
16 is amended and reenacted as follows:

17 **39-22.1-02.1. Disposition of fees.** Fees from registration of dealers must be
18 deposited with the state treasurer and credited to the ~~motor registration~~ highway tax distribution
19 fund.

20 **SECTION 6. AMENDMENT.** Section 39-24-05 of the North Dakota Century Code is
21 amended and reenacted as follows:

22 **39-24-05. Disposition of registration fees and trail tax - Transfer from highway tax**
23 **distribution fund.** Fees from registration of snowmobiles must be deposited with the state
24 treasurer and credited to the ~~motor vehicle registration~~ highway tax distribution fund. The
25 snowmobile trail tax must be deposited in a state snowmobile fund in the state treasury.
26 Additionally, an amount equal to the tax collected on thirty gallons [113.56 liters] of motor
27 vehicle fuel multiplied by the number of collector snowmobiles and snowmobiles registered
28 under this chapter must be transferred annually from the highway tax distribution fund, before
29 allocation of the fund under section 54-27-19, and credited to the state snowmobile fund. The
30 parks and recreation department may, upon appropriation by the legislative assembly, expend

1 from such fund moneys it deems necessary for purposes of administering snowmobile safety
2 programs and establishing and maintaining snowmobile facilities and programs.

3 **SECTION 7. AMENDMENT.** Section 39-29-05 of the North Dakota Century Code is
4 amended and reenacted as follows:

5 **39-29-05. Disposition of registration fees and trail tax.**

- 6 1. Fees from registration of off-highway vehicles must be deposited with the state
7 treasurer and credited to the ~~motor vehicle registration~~ highway tax distribution
8 fund.
- 9 2. The off-highway vehicle trail tax must be deposited in a state off-highway vehicle
10 fund in the state treasury. The parks and recreation department may, on
11 appropriation by the legislative assembly, expend from that fund moneys for
12 establishing off-highway vehicle facilities, off-highway vehicle use areas, and
13 off-highway vehicle safety and education programs, and enforcement of this
14 chapter.