

Sixty-first
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2378

Introduced by

Senators O'Connell, Flakoll, Potter

Representatives Gruchalla, R. Kelsch, Nelson

1 A BILL for an Act to amend and reenact subsections 2 and 3 of section 39-29-03 and
2 subsection 2 of section 39-29-05 of the North Dakota Century Code, relating to off-highway
3 vehicle registration and the disposition of registration fees and trail tax.

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

5 **SECTION 1. AMENDMENT.** Subsections 2 and 3 of section 39-29-03 of the North
6 Dakota Century Code are amended and reenacted as follows:

7 2. On receipt of an application and the appropriate fee, the department shall register
8 the off-highway vehicle and assign a registration number and a certificate of
9 registration. In addition, the department shall issue a decal made of reflectorized
10 material which contains the registration number or the department shall issue one
11 distinctive number plate upon the request of the owner. The operator of an
12 off-highway vehicle shall securely affix and display the decal or the plate in a
13 position as to provide clear legibility for identification. The certificate of registration
14 must include information regarding the make, year, serial number, and name and
15 address of the owner.

16 3. The fee for registration of each off-highway vehicle is five dollars for a registration
17 period of two years. For a duplicate or replacement registration number or
18 registration card which is lost, mutilated, or becomes illegible, the department may
19 charge a fee of not more than five dollars. For each off-highway vehicle registered
20 under this chapter, there is an off-highway vehicle trail tax of ~~five~~ fifteen dollars.

21 **SECTION 2. AMENDMENT.** Subsection 2 of section 39-29-05 of the North Dakota
22 Century Code is amended and reenacted as follows:

23 2. The off-highway vehicle trail tax must be deposited in ~~a state~~ the off-highway
24 vehicle fund in the state treasury. The parks and recreation department may, on

1 appropriation by the legislative assembly, expend from that fund moneys for
2 establishing off-highway vehicle facilities, ~~off highway vehicle~~ use areas, and
3 ~~off highway vehicle~~ safety and education programs, and on enforcement of this
4 chapter. The department may also use the fund to make grants to political
5 subdivisions, governmental agencies, and nonprofit organizations for the purpose
6 of developing and improving off-highway vehicle facilities and use areas and on
7 promoting off-highway vehicle safety and education. The department may also
8 use the fund to make grants to law enforcement agencies for the purpose of
9 enforcing laws applicable to off-highway vehicles and to the use of off-highway
10 vehicle facilities and use areas.