

**HOUSE BILL NO. 1280**

Introduced by

Representatives Beadle, Buffalo

Senator K. Roers

1 A BILL for an Act to amend and reenact section 26.1-30-18 and subsection 3 of section  
2 39-08-20 of the North Dakota Century Code, relating to inception and expiration of insurance  
3 policies.

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

5 **SECTION 1. AMENDMENT.** Section 26.1-30-18 of the North Dakota Century Code is  
6 amended and reenacted as follows:

7 **26.1-30-18. Inception and expiration of policies –~~Inception of hail insurance policies.~~**

8 An insurance policy covers the insured at the later of 12:01 a.m. or the time stated on the  
9 application for the insurance policy on the day on which coverage begins and expires at 12:01  
10 a.m. on the day of expiration of the policy. ~~However, a policy of insurance on growing crops~~  
11 ~~against loss by hail takes effect at the time and on the day stated on the application for the~~  
12 ~~insurance.~~ The provision allowing a policy of insurance ~~on growing crops against loss by hail~~ to  
13 take effect as provided on the application may not be limited or restricted by rule or bulletin of  
14 the commissioner.

15 **SECTION 2. AMENDMENT.** Subsection 3 of section 39-08-20 of the North Dakota Century  
16 Code is amended and reenacted as follows:

17 3. ~~Notwithstanding section 26.1-30-18,~~ a person may be in violation of subsection 1 for  
18 failure to have a valid policy of liability insurance in effect under this section if the time  
19 of acquisition of the policy was after the time of the alleged incidence of driving without  
20 liability insurance. If the time of acquisition of the policy comes into question, the driver  
21 or owner has the burden of establishing the time of acquisition. If the driver is not an  
22 owner of the motor vehicle, the driver does not violate this section if the driver provides  
23 the court with evidence identifying the owner of the motor vehicle and describing

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Legislative Assembly

- 1 circumstances under which the owner caused or permitted the driver to drive the
- 2 motor vehicle.