

**SENATE BILL 2169
HANDOUT**

North Dakota Driver's License Information Points and Fees

North Dakota Licensed Drivers (NDDOT)

- 561,246 licensed ND drivers
- Approximately 1,450 drivers have 3 violations in 5 years.
- Approximately 4,245 drivers have 2 violations in 3 years.
- Approximately 7,453 drivers have 2 violations in 5 years.

Driver's License Record Retention

- Non-criminal violations on a non-commercial driver's license record stay for 3 years.
- Speeding, reckless driving, texting, using a handheld device, and railroad crossing violations stay on a commercial driver's license record stay for 4 years.

Commercial		Non-Commercial	
Major	Permanent	Crashes	7 years
Out of Service	15 years	DUI	7 years
Crashes	10 years	DUS/DUR	5 years
Serious	4 years	Non-Criminal	3 years
Railroad	4 years		
All Others	3 years		
Major Convictions	55 years from the conviction date		
Serious Convictions	4 years from the conviction date or for as long as any resulting withdrawal is retained -whichever is longer		
RRGC Convictions	4 years from the conviction date or for as long as any resulting withdrawal is retained -whichever is longer		
Out of Service Convictions	15 years from the conviction date or for as long as any resulting withdrawal is retained - whichever is longer		
All other convictions	3 years from the conviction date or for as long as any resulting withdrawal is retained - whichever is longer		
Withdrawal actions	Length of time the record of any underlying conviction is retained (specified above) and for a minimum of 3 years from the effective date, eligibility date or reinstatement date, whichever is later. MCSIA requires that jurisdictions be able to tie their withdrawals to the underlying conviction(s), so the same mechanism may be used for determining retention periods of the withdrawal and will ensure that a new SOR will not impose a second withdrawal on an underlying conviction. For withdrawals that do not require underlying convictions, the withdrawal must be retained for 3 years (as specified above) or for as long as any underlying convictions are retained, whichever period is longer. A W00 withdrawal has no corresponding underlying convictions mapping to a conviction ACD; the W00 must be retained while the withdrawal is in effect.		

North Dakota Point System

- Driving privileges are suspended upon an accumulation of 12 points.
- For each point over 11 it is suspended for a period of 7 days.
- Drivers under the age of 18 will have their license canceled upon an accumulation of 6 points.
- One point is removed every 90 days of violation free driving.
- Three points can be reduced if a driver takes an approved defensive driving course, which can only be done once every 12 months.
- Drivers issued a citation with a penalty of five points or less may elect to attend an approved driving course in lieu of entry of points on their driving record. The driver must notify the court at the time they post their bond and provide proof of course complete to DOT within 30 days.
- Insurance companies only see violations assigned 3 points or more unless the driver signs a waiver for the insurance company to view their entire driving record.
- Below is a list of points for various violations. If the violation isn't listed, then there is no point assigned to that violation.
- An example of this is for driving distracted or texting and driving. There are no points assigned to these dangerous driving behaviors. These fall under [NDCC 39-08-23, 39-08-24, and 39-08-25](#).

For Violations not listed, no Points are assigned.

Speed Zones Less Than 70 mph	
Speed (mph)	Points
1 - 5 mph over limit	0
6 - 10 mph over limit	0
11 - 15 mph over limit	1
16 - 20 mph over limit	3
21 - 25 mph over limit	5
26 - 35 mph over limit	9
36 - 45 mph over limit	12
46 mph plus over limit	15

Speed Zones 70 mph or Greater	
Speed (mph)	Points
1 - 5 mph over limit	0
6 - 10 mph over limit	1
11 - 15 mph over limit	3
16 - 20 mph over limit	5
21 - 25 mph over limit	7
26 - 30 mph over limit	10
31 - 35 mph over limit	12
36 mph plus over limit	15

Traffic Violations	
Violation	Points
Overtaking where prohibited or unlawful.	2
Driving on wrong side of road	2
Failing to yield right-of-way	2
Failing to use care required	2
Disobeying traffic control signals	2
Failing to yield-right-of-way to funeral procession	2
Knowingly driving illegally modified vehicle	2
Open container (Driver)	2
Exhibition driving	3
Violating corrective lens restriction	3
Failing to stop at RR crossing	3
Violating or exceeding restriction contained in a restricted certificate or license or Instructional Permit	4
Clinging to other vehicle while riding a motorcycle	4
Operating a motor vehicle without a license	4
Overtaking a school bus	6
Failing to give immediate notice of accident	6
Careless driving (Basic Rule)	6
No liability insurance	6, 12, or 14
Reckless driving	8
Racing in a motor vehicle	10
Aggravated reckless driving	12
Leaving the scene of accident involving property damage	14
Leaving the scene of accident involving injury or death	18
Fleeing from law enforcement officer in a motor vehicle	24

Traffic Violations	
Violation	Points
Operator/Responsible party failing to provide child restraint device.	1
Failing to display license plates	1
Unlawful parking in specified prohibited places	1
Leaving motor vehicle improperly unattended on an open highway	1
Opening or leaving motor vehicle doors open when unsafe to do so	1
Nonmoving violation of parking in a space assigned for the mobility impaired	0
Failing to dim head lamps	1
Violating hazardous material regulations	2
Knowingly operating an unsafe vehicle	2
Improperly operating or unlawfully carrying passengers or packages on a motorcycle	2
Improperly operating a motorcycle in laned traffic	2
Carrying a passenger on a motorcycle not equipped with passenger footrests	2
Operating a motorcycle without protective headgear	2
Permitting unauthorized minor or person to drive	2
Driving in Violation of the Conditions of an Instruction Permit(Effective January 1, 2012)	2
Unlawful stopping, standing, or parking on an open highway	2
Causing accident w/emergency vehicle	2
Knowingly driving with defective, non-existent or unlawful equipment	2
Knowingly driving with defective brakes	2
Disregarding lawful command of police officer	2

Speed/Aggressive Driving Crashes (NDDOT)

- Speeding or traveling too fast for conditions is a factor in about 30-40 percent of all fatal crashes in North Dakota each year.
- There were 160 fatal crashes on North Dakota roadways from 201-2021. Of these, 33.8 percent (160 or 473) were related to speed/too fast for conditions.
- 178 people have died in speed/aggressive driving-involved crashes in North Dakota over the past five years (2017-2021).
- Speeding and/or aggressive driving has been a factor in 34% of fatal crashes in North Dakota.

Lane Departure Crashes (NDDOT)

Number of North Dakota Motor Vehicle Crashes, Fatalities and Injuries Involving Lane Departure, 2017-2021			
Year	Crashes	Fatalities	Injuries
2016	5,604	62	1,497
2017	5,725	69	1,555
2018	5,656	60	1,386
2019	5,198	63	1,460
2020	3,510	56	1,278
2021	3,642	57	1,393

Intersection Crashes (UGPTI)

Intersection crashes from 2017 - 2021	
CRSSEV	Crash Severity
1 =	Fatal
2 =	Non-Incapacitating Injury
3 =	PDO
4 =	Incapacitating Injury
5 =	Possible Injury

Outside city limits		
CRSSEV	Frequency	Cumulative Frequency
1	68	68
2	509	577
3	1630	2207
4	211	2418
5	229	2647

Inside and Outside city limits		
CRSSEV	Frequency	Cumulative Frequency
1	107	107
2	3130	3237
3	18394	21631
4	550	22181
5	3146	25327

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Ser. No	City Name	Crash Frequency
1	FARGO	5972
2	GRAND FORKS	2818
3	BISMARCK	5339
4	MINOT	1618
5	JAMESTOWN	690
6	DICKINSON	932
7	WILLISTON	1172
8	MANDAN	745
9	VALLEY CITY	180
10	DEVILS LAKE	300
11	WAHPETON	191
12	GRAFTON	136
13	WEST FARGO	1255
14	BOTTINEAU	39
15	CARRINGTON	36
16	WATFORD CITY	176
17	NEW TOWN	39
18	HAZEN	36
	Total	21674

Violations Affecting Enhanced Penalty					District Court Citations - Past 5 years					
NDCC	Violation	Fine	Points	2017	2018	2019	2020	2021	Total	
39-08-03.1	Drag Racing/Exhibition Driving	\$ 100	10	215	204	150	207	151	927	
39-08-23	Used Wireless Device - compose, read, or send electronic message	\$ 100	0	680	553	484	459	412	2588	
39-08-24	Used an electronic device while operating mv - at least 16 and under 18	\$ 20	0	32	54	34	30	34	184	
39-08-25	Failure to maintain control of mv while distracted	\$ 100	0	117	425	363	345	382	1632	
39-09	Speed related violations - careless driving, care required, exceeded speed limit.	See Below		52600	53125	48170	57509	60456	271860	
39-10-04	Disregarded traffic control device	\$ 20	2	466	467	338	262	178	1711	
39-10-05	Drove through red light violations	\$ 20	2	568	535	700	597	561	2961	
39-10-07	Failure to exercise caution at flashing yellow/red light/intersections	\$ 20	2	7	12	10	8	5	42	
39-10-08	Drove on left half of roadway not in overtaking	\$ 20	2	59	70	55	44	39	267	
39-10-11	Drove to the right before safely clear while passing and failure to give way when overtaking	\$ 20	2	4	8	11	7	11	41	
39-10-12	Overtaking vehicle on the right when prohibited or unsafe	\$ 20	2	24	26	22	21	25	118	
39-10-13	Overlook when unsafe	\$ 20	2	69	68	69	42	45	293	
39-10-14	Drove on left half of roadway on hill or curve or at intersection or RR crossing	\$ 20	2	15	19	25	22	32	113	
39-10-15	Overtook where prohibited	\$ 20	2	181	163	145	100	124	713	
39-10-16	Drove wrong way on one-way road	\$ 20	2	122	131	118	121	179	671	
39-10-17	Changing lanes without regard to other traffic	\$ 20	0	214	244	223	231	278	1190	
39-10-18	Following to close - failure to leave sufficient distance between trucks	\$ 20	0	409	393	400	296	335	1833	
39-10-21.1	Entered road closed due to hazardous conditions	\$ 250	0	77	17	264	94	51	503	
39-10-22	Failure to yield at intersection	\$ 20	2	147	121	130	114	109	621	
39-10-22.1	Failure to yield right of way when entering a freeway	\$ 20	2	14	19	26	21	18	98	
39-10-23	Turned left in front of approaching traffic	\$ 20	2	106	87	108	95	74	470	
39-10-24	Failure to yield right of way stop/yield sign	\$ 40	2	156	184	182	134	133	789	
39-10-25	Failure to yield entering roadway from any place other than another roadway	\$ 20	2	22	23	23	18	20	106	
39-10-26	Failure to yield to emergency vehicle, change lanes, or causes crash	\$ 50	2	352	419	382	411	373	1924	
39-10-28	Failure to yield right of way to pedestrian in crosswalk	\$ 50	2	5	11	8	4	10	38	
39-10-30	Driver failed to exercise due care upon approaching pedestrian	\$ 20	0	1	3	1	0	0	5	
39-10-33.1	Driver failed to yield right of way to pedestrian on sidewalk	\$ 20	0	0	0	0	1	0	1	
39-10-35	Turned right or left from wrong lane	\$ 20	0	77	92	82	91	92	434	
39-10-36	Improper turn around - interfered with traffic or on a hill or curve	\$ 20	0	29	22	22	23	14	110	
39-10-37	Failure to yield from stopped or parked position	\$ 20	0	10	13	12	7	6	48	
39-10-38	Neglected signal when required	\$ 20	0	137	141	115	92	75	560	
39-10-41	Failure to stop for automatic RR crossing signal, flagman, or train, drove around crossing gate or barrier	\$ 50	3	8	8	9	8	6	39	
39-10-42	Failure to stop for RR crossing marked with stop sign	\$ 50	3	5		17	8	3	33	
39-10-43	Passenger bus, school bus, or HM vehicle failure to stop at RR crossing	\$ 20	0	12	6	6	3		27	
39-10-44	Disregarded stop sign	\$ 40	2	2984	3012	2780	2963	2741	14480	
39-10-45	Emerging from alley, driveway, private road, or building failed to stop prior to entering crosswalk or roadway	\$ 20	0	7	8	2	3	2	22	
39-10-46	Overtook school bus	\$ 100	6	31	25	39	15	20	130	
39-10-52.1	Driving upon sidewalk	\$ 20	0	4	6	4	7	1	22	
39-10-64	Drove through safety zone when prohibited	\$ 20	0	0	0	0	1	0	1	
39-10-68	Entered intersection or RR grade crossing when roadway was obstructed	\$ 20	0	4	1	6	2	1	14	

North Dakota Speeding Penalties

MPH Over	55 mph and less		60-65 mph		70 mph and greater	
	Fine	Points	Fine	Points	Fine	Points
1 mph	\$ 5	0	\$ 2	0	\$ 5	0
2 mph	\$ 5	0	\$ 4	0	\$ 10	0
3 mph	\$ 5	0	\$ 6	0	\$ 15	0
4 mph	\$ 5	0	\$ 8	0	\$ 20	0
5 mph	\$ 5	0	\$ 10	0	\$ 25	0
6 mph	\$ 6	0	\$ 12	0	\$ 30	1
7 mph	\$ 7	0	\$ 14	0	\$ 35	1
8 mph	\$ 8	0	\$ 16	0	\$ 40	1
9 mph	\$ 9	0	\$ 18	0	\$ 45	1
10 mph	\$ 10	0	\$ 20	0	\$ 50	1
11 mph	\$ 11	1	\$ 25	1	\$ 55	3
12 mph	\$ 12	1	\$ 30	1	\$ 60	3
13 mph	\$ 13	1	\$ 35	1	\$ 65	3
14 mph	\$ 14	1	\$ 40	1	\$ 70	3
15 mph	\$ 15	1	\$ 45	1	\$ 75	3
16 mph	\$ 17	3	\$ 50	3	\$ 80	5
17 mph	\$ 19	3	\$ 55	3	\$ 85	5
18 mph	\$ 21	3	\$ 60	3	\$ 90	5
19 mph	\$ 23	3	\$ 65	3	\$ 95	5
20 mph	\$ 25	3	\$ 70	3	\$ 100	5
21 mph	\$ 28	5	\$ 75	5	\$ 105	7
22 mph	\$ 31	5	\$ 80	5	\$ 110	7
23 mph	\$ 34	5	\$ 85	5	\$ 115	7
24 mph	\$ 37	5	\$ 90	5	\$ 120	7
25 mph	\$ 40	5	\$ 95	5	\$ 125	7
26 mph	\$ 43	9	\$ 100	9	\$ 130	10
27 mph	\$ 46	9	\$ 105	9	\$ 135	10
28 mph	\$ 49	9	\$ 110	9	\$ 140	10
29 mph	\$ 52	9	\$ 115	9	\$ 145	10
30 mph	\$ 55	9	\$ 120	9	\$ 150	10
31 mph	\$ 58	9	\$ 125	9	\$ 155	12
32 mph	\$ 61	9	\$ 130	9	\$ 160	12
33 mph	\$ 64	9	\$ 135	9	\$ 165	12
34 mph	\$ 67	9	\$ 140	9	\$ 170	12
35 mph	\$ 70	9	\$ 145	9	\$ 175	12
36 mph	\$ 73	12	\$ 150	12	\$ 180	12

Construction Zone Fines				Construction Zone Penalties			
55 mph and less zones				60-65mph zones			
MPH Over	Fine	Workers Present	Points	MPH Over	Fine	Workers Present	Points
1 mph	\$ 5	\$ 80	0	1 mph	\$ 2	\$ 80	0
2 mph	\$ 5	\$ 80	0	2 mph	\$ 4	\$ 80	0
3 mph	\$ 5	\$ 80	0	3 mph	\$ 6	\$ 80	0
4 mph	\$ 5	\$ 80	0	4 mph	\$ 8	\$ 80	0
5 mph	\$ 5	\$ 80	0	5 mph	\$ 10	\$ 80	0
6 mph	\$ 6	\$ 80	0	6 mph	\$ 12	\$ 80	0
7 mph	\$ 7	\$ 80	0	7 mph	\$ 14	\$ 80	0
8 mph	\$ 8	\$ 80	0	8 mph	\$ 16	\$ 80	0
9 mph	\$ 9	\$ 80	0	9 mph	\$ 18	\$ 80	0
10 mph	\$ 10	\$ 80	0	10 mph	\$ 20	\$ 80	0
11 mph	\$ 11	\$ 82	1	11 mph	\$ 25	\$ 82	1
12 mph	\$ 12	\$ 84	1	12 mph	\$ 30	\$ 84	1
13 mph	\$ 13	\$ 86	1	13 mph	\$ 35	\$ 86	1
14 mph	\$ 14	\$ 88	1	14 mph	\$ 40	\$ 88	1
15 mph	\$ 15	\$ 90	1	15 mph	\$ 45	\$ 90	1
16 mph	\$ 17	\$ 92	3	16 mph	\$ 50	\$ 92	3
17 mph	\$ 19	\$ 94	3	17 mph	\$ 55	\$ 94	3
18 mph	\$ 21	\$ 96	3	18 mph	\$ 60	\$ 96	3
19 mph	\$ 23	\$ 98	3	19 mph	\$ 65	\$ 98	3
20 mph	\$ 25	\$ 100	3	20 mph	\$ 70	\$ 100	3
21 mph	\$ 28	\$ 102	5	21 mph	\$ 75	\$ 102	5
22 mph	\$ 31	\$ 104	5	22 mph	\$ 80	\$ 104	5
23 mph	\$ 34	\$ 106	5	23 mph	\$ 85	\$ 106	5
24 mph	\$ 37	\$ 108	5	24 mph	\$ 90	\$ 108	5
25 mph	\$ 40	\$ 110	5	25 mph	\$ 95	\$ 110	5
26 mph	\$ 43	\$ 112	9	26 mph	\$100	\$ 112	9
27 mph	\$ 46	\$ 114	9	27 mph	\$105	\$ 114	9
28 mph	\$ 49	\$ 116	9	28 mph	\$110	\$ 116	9
29 mph	\$ 52	\$ 118	9	29 mph	\$115	\$ 118	9
30 mph	\$ 55	\$ 120	9	30 mph	\$120	\$ 120	9
When workers present a minimum of \$80 unless greater fee applicable				When workers present a minimum of \$80 unless greater fee applicable			

School Zone Penalties			
All Zones			
MPH Over	Fine	Children Present	Points
1 mph	\$ 5	\$ 40	0
2 mph	\$ 5	\$ 40	0
3 mph	\$ 5	\$ 40	0
4 mph	\$ 5	\$ 40	0
5 mph	\$ 5	\$ 40	0
6 mph	\$ 6	\$ 40	0
7 mph	\$ 7	\$ 40	0
8 mph	\$ 8	\$ 40	0
9 mph	\$ 9	\$ 40	0
10 mph	\$ 10	\$ 40	0
11 mph	\$ 11	\$ 41	1
12 mph	\$ 12	\$ 42	1
13 mph	\$ 13	\$ 43	1
14 mph	\$ 14	\$ 44	1
15 mph	\$ 15	\$ 45	1
16 mph	\$ 17	\$ 46	3
17 mph	\$ 19	\$ 47	3
18 mph	\$ 21	\$ 48	3
19 mph	\$ 23	\$ 49	3
20 mph	\$ 25	\$ 50	3
21 mph	\$ 28	\$ 51	5
22 mph	\$ 31	\$ 52	5
23 mph	\$ 34	\$ 53	5
24 mph	\$ 37	\$ 54	5
25 mph	\$ 40	\$ 55	5
26 mph	\$ 43	\$ 56	9
27 mph	\$ 46	\$ 57	9
28 mph	\$ 49	\$ 58	9
29 mph	\$ 52	\$ 59	9
30 mph	\$ 55	\$ 60	9
When children present a minimum of \$40 unless greater fee applicable			