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Sixty-ninth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1118

Introduced by

Transportation Committee

(At the request of the Highway Patrol)

A BILL for an Act to amend and reenact sections 39-04-11, 39-04-12, 39-04-37, and 39-04-56 of the North Dakota Century Code, relating to display of temporary registration permits; and to provide a penalty.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 39-04-11 of the North Dakota Century Code is amended and reenacted as follows:

39-04-11. Display of number plates and tabs - Temporary registration.

Unless otherwise provided by law, an individual may not operate a vehicle on a public highway of this state unless the vehicle has a distinctive number assigned to the vehicle by the department, and two number plates, bearing the distinctive number conspicuously displayed, horizontally and in an upright position, one on the front and one on the rear of the vehicle, each securely fastened, except number plates assigned to a housetrailer must be attached to the rear of the housetrailer. An individual may operate a motor vehicle on a public highway of this state with a valid temporary registration permit. A temporary registration permit obtained from the department of transportation or an authorized car dealership must be displayed on the lower left of the rear window, free of any obstructions, and clearly visible to the rear. Number plates assigned to a motorcycle or trailer must be attached to the rear of the motorcycle or trailer and may be displayed vertically. When only one number plate is furnished for an apportioned vehicle registered under the international registration plan as authorized in section 39-19-04, truck tractor, or semitrailer, the plate must be attached to the front of the apportioned vehicle or truck tractor and the rear of the semitrailer. The bottom of each number plate must be at a height of not less than twelve inches [30.48 centimeters] above the level surface upon which the vehicle stands. Each plate must be mounted in a visible manner that clearly displays the distinctive number assigned to the vehicle and the name of the state on the plate. As far as is reasonably

possible, the plates must at all times be kept free and clear of mud, ice, or snow so as to be clearly visible and all number plates, markers, or evidence of registration or licensing except for the current year must be removed from the vehicle. All vehicle license plates issued by the department are the property of the department for the period for which the plates are valid. An annual registration tab or sticker for the current registration year must be displayed on each number plate, in the area designated by the department for the tab or sticker, in those years for which tabs or stickers are issued in lieu of number plates.

SECTION 2. AMENDMENT. Section 39-04-12 of the North Dakota Century Code is amended and reenacted as follows:

39-04-12. Contents of number plates - Size of letters and numerals on plates - Reflectorized - Tabs or stickers.

1. Number plates must be of metal or other suitable material bearing the name of the state, either in full or by abbreviation, the number of the year, the slogan "Peace Garden State" and a distinctive number for assignment to each vehicle. The distinctive number may be in figures or a combination of figures and letters and must be of a size clearly distinguishable by law enforcement officers and individuals generally. To reduce highway accidents at night all number plates and temporary registration permits must be legible for a minimum distance of one hundred feet [30.48 meters] to an approaching motorist by day or night with lawful headlight beams and without other illumination. Each plate must be treated with a reflectorized material according to the specifications prescribed by the department. The department shall furnish for each annual registration a year plate, tab, or sticker to designate the year registration. The plate, tab, or sticker must show the registration year for which issued, and is valid only for that year.
2. The department may provide to an owner of a fleet of one hundred or more vehicles number plates that are valid for as many as six consecutive years and that are exempt from the requirements of evidence of annual validation. The registrant shall file with the department a corporate surety bond in an amount the department determines to be reasonable and adequate, and conditioned that the owner will pay the annual fee at the beginning of each annual registration period for which the number plates are valid.

SECTION 3. AMENDMENT. Section 39-04-37 of the North Dakota Century Code is amended and reenacted as follows:

39-04-37. Violations of registration provisions.

It is unlawful for any person to commit any of the following acts:

1. To operate, or for the owner thereof knowingly to permit anyone to operate, upon a highway any vehicle the registration of which has been canceled or revoked, or for which the registration fees required in this title have not been paid, or which does not have attached thereto and displayed thereon a number plate, plates, temporary registration permit, or validation tabs assigned thereto by the director for the current registration period, subject to the exemptions allowed in this title.
2. To display or cause or permit to be displayed, or to have in possession, any registration card, registration number plate, temporary registration permit, or validation tabs knowing the same to be fictitious or to have been canceled, revoked, suspended, or altered.
3. To lend any registration number plate, registration card, temporary registration permit, or validation tabs to any person not entitled thereto, or knowingly permit the use of any registration number plate or registration card by any person not entitled thereto.
4. To fail or refuse to surrender to the department, upon demand, any registration card, registration number plate, temporary registration permit, or validation tab which has been suspended, canceled, or revoked as is provided in this chapter.
5. To use a false or fictitious name or address in any application for the registration of any vehicle, or for any renewal or duplicate thereof, or knowingly to make a false statement or knowingly to conceal a material fact or otherwise to commit a fraud in any application.
6. To operate, or for the owner thereof knowingly to permit anyone to operate a motor vehicle on a highway if the owner is employed in this state on a temporary or full-time basis, is a resident of the state, and does not have a temporary registration permit when required under subsection 1 of section 39-04-18.2. As used in this subsection, the term "resident" means a resident as defined under subdivision e of subsection 2 of section 39-04-18.

SECTION 4. AMENDMENT. Section 39-04-56 of the North Dakota Century Code is amended and reenacted as follows:

39-04-56. Altering or forging registration card - Penalty.

It is a class C felony for any person to:

1. Alter with fraudulent intent any registration card or temporary registration permit issued by the department;
2. Forge or counterfeit any registration card or temporary registration permit purporting to have been issued by the department under the provisions of this chapter;
3. Alter or falsify with fraudulent intent or forge any assignment of a registration card or temporary registration permit; or
4. Use any registration card, temporary registration permit, or assignment, knowing the same to have been altered, forged, or falsified.