

North Dakota State's Attorneys' Association

January 27, 2025

To: House Transportation Committee
Hon. Chairman Ruby
Hon. Vice-Chair Grueneich
Members of the Committee

RE: House Bill No. 1422

Chairman Ruby, Vice-Chair Grueneich, and Members of the House Transportation Committee:

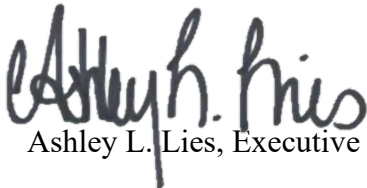
The North Dakota State's Attorneys' Association (NDSAA) is submitting this letter as **NEUTRAL** to House Bill 1422 to bring up a concern with it as currently presented.

First, in reading the Bill, we interpret the intent of the changes to allow a driver to have their charge reduced to a "disqualified driver" if they are able to get their operator's license reinstated within sixty days of the date of the offense and that they would then be assessed a \$100.00 fine and have three points charged against their driving record. However, the Section 1 and Section 2 amendments, if this is the intent, do not reflect that goal.

Section 1's amendments in subsection 3 seem to state that an "an individual may not operate a motor vehicle . . . in the state while an individual's operator's license has been disqualified as a result of a suspension or revocation." It then states that "[a]n individual in violation of this subsection is subject to a fine of one hundred dollars and three points to be charged against the individual's driving record." This seems to read that all driving under revocation or suspension charges should just receive a \$100.00 fine and three points when N.D.C.C. § 39-06-42 clearly provides different penalties.

If the intent is that a person who is able to get their license reinstated after receiving a driving under revocation or suspension offense have to pay a \$100.00 fine and receive three points against their license, better wording would be helpful to avoid confusion in the courts.

On behalf of the North Dakota State's Attorneys:



Ashley L. Lies, Executive Director