

Senate Bill 2247

My name is Richard Sundhagen from Minot, ND and I am writing in support of HB 2247 . A group of us have been working with Senator Thomas and have been reviewing some of the DMV issues in North Dakota.

First of all I will let you know I have read the letters from Richard Johnson, LeRoy Rude and Karen Czaplewski and I am in total agreement with all of their concerns and issues. Being those are addressed and we do have time constraints, I am going to address another issue but will field any questions you may have on the issues they brought up.

One of my concerns is 39-05-17 of the ND Century Code pertaining to transfer of Titles. Certain employees at DMV have decided to interpret the "if" as a "shall" as stated in line 2 and 3 and have now decided that in North Dakota no one can sell a vehicle without a Title. That means that if you have a car or pickup on your farm that some hired hand left there 30 years ago, it is illegal to sell that to your neighbor for parts. Seems like common sense should kick in somewhere. DMV will request a Bill of Sale from basically "anyone" and you can go through the Title creation process. That "anyone" need not own the vehicle. To go a step further, DMV will no longer accept a notarized Bill of Sale from an auction because the auction does not own the vehicle. It's hard to follow the thought process on this but that is the way it is. I would like to see a line 6 added to 39-5-17 stating: In lieu of a Title, vehicles can be sold with a Bill of Sale even if they need total restoration and are running or not. They can be weathered and/or stripped to the point of only being useful for parts or total restoration as long as ownership can be verified. Something along these lines would be very helpful.

Two other areas of concern are 39-05-05 of the Century Code and 39-21-52 . Senator Thomas may have already addressed these concerns but if not they are included.

Thank you,

Richard Sundhagen

6810 Highway 2 & 52 West

Minot, ND 58703

39-21-52. Exemption for certain street rod, collector or special interest motor vehicles. The provisions of this chapter or chapter 52-04-01 of the North Dakota Administrative Code relating to bumpers, tires and fenders do not apply to street rod, collector or special interest motor vehicles. However, a street rod, collector or special interest vehicle must have all equipment, in operating condition, which was specifically required by law as a condition for its sale when it was first manufactured. A street rod, collector or special interest vehicle is a moderized motor vehicle which was manufactured ~~before 1949~~ by a recognized manufacturer and which retains the general appearance and original body configuration as manufactured or a motor vehicle designed and manufactured to resemble such a motor vehicle. A street rod, collector or special interest vehicle may have improved modifications to the body, chassis, engine, brakes, power train, steering, and suspension systems either by modifying the original equipment or replacing original parts with fabricated parts or those taken from other existing vehicles. This streetrod, collector or special interest motor vehicle must be at least 40 years old. The director may adopt rules to implement this section.

39-05-05. Application for certificate of title - Contents - Fee.

1. An application for a certificate of title must be made upon a form provided by the department and must contain all of the following:
 - a. A full description of the vehicle, including the name of the manufacturer, either the engine, serial, or identification number, and any other distinguishing marks. The department ~~may~~ shall assign a vehicle identification number for a vehicle not otherwise assigned a number or for one that cannot be located. The assigned number must be permanently affixed to the vehicle and the department may require the vehicle be inspected before issuing a certificate of title for the vehicle.