

CHAPTER 4.1-28

VIDEO LIVESTOCK AUCTION MARKETS

4.1-28-01. Definitions.

In this chapter, unless the context otherwise requires:

1. "Commissioner" means the agriculture commissioner or the commissioner's designee.
2. "Internet livestock auction" means a place or establishment conducted or operated for compensation or profit as a public market where livestock located in this state is sold or offered for sale at a facility or website within or outside the state through the use of the internet.
3. "Livestock" means horses, mules, cattle, swine, sheep, farmed elk, and goats.
4. "Representative" means a dealer licensed under chapter 4.1-83 or a livestock auction market licensed under chapter 4.1-27.
5. "Video livestock auction market" means a place or establishment conducted or operated for compensation or profit as a public market where livestock located in this state is sold or offered for sale at a facility within or outside the state through the use of video at a public auction.

4.1-28-02. Video livestock auction market and internet auction - Authority to transact business.

A video livestock auction market or internet livestock auction market may not transact business in this state unless the market transacts business through a representative.

4.1-28-03. Application for license - Contents.

Repealed by S.L. 2025, ch. 84, § 2.

4.1-28-04. Use of fees - Grounds for refusal or revocation of license - Review by court.

Repealed by S.L. 2025, ch. 84, § 2.

4.1-28-05. Inspection of livestock.

Before any livestock sold pursuant to this chapter is delivered, whether interstate or intrastate, the livestock must be inspected for health by a veterinarian licensed in this state and approved by the state board of animal health and, in the case of cattle, for brands by a trained brand inspector, acting under rules adopted by the North Dakota stockmen's association and the state board of animal health. The inspection must take place at the time of the initial delivery of the livestock. If livestock is destined to be shipped interstate, the authorized veterinarian shall furnish to each purchaser a certificate showing that the inspection has been made and treatment administered in accordance with the requirements of the state of destination. The services and duties of the veterinary inspector are under the supervision of the state board of animal health. Fees for the veterinary inspection must be an amount agreed upon by the representative and the veterinarian. All fees for veterinary inspection, treatment, and services must be collected by the representative and paid to the inspector.

4.1-28-06. Method of payment.

Payment to the seller for livestock sold through a video livestock auction market or internet livestock auction market must be made in United States currency, with an instrument payable on demand drawn on a financial institution chartered and regulated by a state or the federal government, or by wire transfer or other electronic form of payment from a financial institution chartered and regulated by a state or the federal government.

4.1-28-07. Sale of livestock by weight - Scales to be inspected.

Notwithstanding section 36-21-15, all livestock sold by weight through a video livestock auction market or internet livestock auction market must be sold based on the weight of the livestock on the day of delivery. All livestock sold by weight must be weighed on scales that

have been tested and inspected by the department of weights and measures in the manner provided by law.