

ARTICLE 37-09

DISCLOSURE OF BODY DAMAGE TO MOTOR VEHICLE

Chapter

37-09-01 Application and Requirements of Disclosure

CHAPTER 37-09-01

APPLICATION AND REQUIREMENTS OF DISCLOSURE

Section

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37-09-01-01. Definitions. The definitions provided in North Dakota Century Code title 39 apply to this article, except " motor vehicle" is exclusive of off-highway vehicles, snowmobiles, and low-speed vehicles.

History: Effective April 1, 1992; amended effective July 1, 2008.

General Authority: NDCC 24-02-01.2, 39-02-03

Law Implemented: NDCC 39-05-17.2

37-09-01-02. Damage disclosure statement - Contents. The damage disclosure statement must contain the name and address of the transferor, a statement as to whether the motor vehicle has sustained damage during the time period transferor owned the vehicle, and the name and address of the transferee. The damage disclosure statement must be completed, signed, and certified by the transferor.

History: Effective April 1, 1992.

General Authority: NDCC 24-02-01.2, 39-02-03

Law Implemented: NDCC 39-05-17.2

37-09-01-03. Damage disclosure statement - When required. A damage disclosure statement must be completed prior to the transfer of the title on all current

year models of motor vehicles and those models manufactured in the seven years previous to the current model year.

History: Effective April 1, 1992; amended effective July 1, 2008.

General Authority: NDCC 24-02-01.2, 39-02-03

Law Implemented: NDCC 39-05-17.2

37-09-01-04. Damage verification statement. If the damage disclosure statement reveals a damage, the transferor must complete a damage verification statement. The damage verification statement must provide for:

1. The title number, serial number or vehicle identification number, make, model, and year of the motor vehicle.
2. A brief description of the cause of the damage and an explanation of the nature of the damage sustained.

History: Effective April 1, 1992.

General Authority: NDCC 24-02-01.2, 39-02-03

Law Implemented: NDCC 39-05-17.2

37-09-01-05. Salvage and junk motor vehicles. Prior to the transfer of title, a damage verification statement is required for all motor vehicles titled pursuant to North Dakota Century Code section 39-05-20.2.

History: Effective April 1, 1992.

General Authority: NDCC 24-02-01.2, 39-02-03

Law Implemented: NDCC 39-05-17.2

37-09-01-06. Damage information placed on title. When a damage verification statement has been filed, the North Dakota department of transportation must record on the title to the damaged motor vehicle a statement to the effect that the department records indicate that the motor vehicle has sustained damage. This information must be placed on all subsequent titles issued on the damaged motor vehicle. Additionally, a statement on vehicle damage may be entered on the registration card for such vehicle.

History: Effective April 1, 1992.

General Authority: NDCC 24-02-01.2, 39-02-03

Law Implemented: NDCC 39-05-17.2

37-09-01-07. Effective date of chapter. This chapter is effective April 1, 1992, and is prospective in application.

History: Effective April 1, 1992.

General Authority: NDCC 24-02-01.2, 39-02-03

Law Implemented: NDCC 39-05-17.2

Untitled Vehicles

37-12-04-01. Procedure. If a North Dakota resident owns a vehicle for which the resident is unable to obtain a proper certificate of title, the motor vehicle division will use the following forms and procedures to determine ownership of a vehicle and issue a certificate of title:

1. A check of the records of the motor vehicle division, as well as the records of other appropriate states, will be conducted to determine if a certificate of title has previously been issued.

2. If no record of a previous certificate of title is found, the motor vehicle division will issue a North Dakota certificate of title to the applicant upon receipt of:

a. A notarized bill of sale.

b. A vehicle statement of ownership from the applicant (form SFN 2903).

c. An inspection of the vehicle by the North Dakota highway patrol by a business that is registered with the secretary of state, is in good standing, and offers vehicle repair to the public. The business completing the certificate of inspection may not be the business that reconstructed the vehicle and must state the vehicle is in compliance with the requirements of chapter 39 - 21 (form SFN 2486).

d. Appropriate title fee, license fees, and motor vehicle excise tax.

3. When there is no record of a previous title, the motor vehicle division will check the national crime information center computer to determine that the vehicle is not listed as a stolen vehicle.

4. If a record of a previous certificate of title is found, the motor vehicle division will advise the applicant of the name and address of the last owner of the vehicle but will take no further action to issue a certificate of title. The applicant must obtain the certificate of title from the last owner or obtain an order of the court awarding ownership to the applicant.

CHAPTER 37-12-05

INSPECTION OF SALVAGE VEHICLES

Section

37-12-05-01 Procedure

37-12-05-01. Procedure. A ~~highway patrol officer~~, business that is registered with the secretary of state, is in good standing, and offers motor vehicle repair to the public, when inspecting a salvage vehicle under the provisions of North Dakota Century Code section 39-05-20.2, must inspect the following equipment to determine it is in compliance with the provisions of North Dakota Century Code chapter 39-21 and North Dakota Administrative Code article 52-04: headlights, turn signals, windshield, mirrors, horn, brakes, exhaust system, taillights, stoplights, license plate lights, clearance lights and reflectors, bumper heights, tires, fenders, steering wheel, steering and suspension, hood latches, door latches, floor pan, and fuel system. In addition to inspecting the listed equipment, ~~a highway patrol officer~~ a business qualified to perform inspections may require an additional statement from the rebuilder of the salvage vehicle prior to the completion of the certificate of inspection. The additional signed statement, as a part of form SFN2486, shall require the rebuilder to certify the following:

1. The frame of the salvage vehicle was not in need of repair or has been repaired in such a manner that the repairs will not detract from the overall performance of the vehicle and the frame is now in a condition that would be comparable to the frame of a similar vehicle which had not been damaged in an accident.
2. The wheel alignment is within the tolerances allowed for vehicles of the same make, year model, and style. ~~Highway patrol officers~~ A business qualified to perform inspections may require this additional certification when they determine the salvage vehicle may have suffered damage to frame, chassis, or wheel alignment as a result of an accident.

History: Effective July 1, 2008.

General Authority: NDCC 28-32-02, 39-02-03

Law Implemented: NDCC 39-05-20.2

CHAPTER 37-12-06
MOTOR VEHICLE BRANCH OFFICES

Section 37-12-06-01. Motor vehicle branch office fees

Maximum fees for motor vehicle branch office transactions are listed below:

MOTOR VEHICLE TRANSACTION	MAXIMUM FEE (\$)
Motor Vehicle/New Title*	10.00
Motor Vehicle/Title Transfer*	10.00
Motor Vehicle/Duplicate Title	8.00
Motor Vehicle/Registration	10.00
Motor Vehicle/Duplicate Registration	8.00
Motor Vehicle/New Registration*	5.00
Motor Vehicle/Registration Change	10.00
Motor Vehicle/Renewal	5.00
Motor Vehicle/Title Correction	10.00
Other/New Mobility Impaired	10.00
Other/Duplicate Mobility Impaired	10.00
Other/Renewal Mobility Impaired	10.00
Other/New Personal Inventory	10.00
Other/Duplicate Personal Inventory	8.00
Other/Renewal Personal Inventory	7.00
Other/Standard Permit	10.00
Motor Vehicle/New Title Branch Admin	2.00
Motor Vehicle/Title Transfer Branch Admin	2.00
Motor Vehicle/Duplicate Title Branch Admin	2.00
Motor Vehicle/Title Correction Branch Admin	2.00

*The maximum fee for combined New Title and Registration and for combined Title Transfer and Registration is \$12.00.

Each fee to be charged by the motor vehicle branch office must be set forth in an agreement between the branch office and the director. The director must approve the fees for each branch office.

History: Effective

General Authority: NDCC 39-02-03

Law Implemented: NDCC 39-02-03