

Fifty-fifth  
Legislative Assembly  
of North Dakota

**ENGROSSED SENATE BILL NO. 2352**

Introduced by

Senators Kringstad, Lips, W. Stenehjem

Representatives Glassheim, R. Kelsch, Martinson

1 A BILL for an Act to amend and reenact subsection 1 of section 39-06.1-06, sections  
2 39-06.1-08, and 39-12-03 of the North Dakota Century Code, relating to penalties for  
3 nonmoving violations and weight restriction violations for vehicles; and to provide a penalty.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. AMENDMENT.** Subsection 1 of section 39-06.1-06 of the 1995  
6 Supplement to the North Dakota Century Code is amended and reenacted as follows:

7 1. For a nonmoving violation as defined in section 39-06.1-08, a fee of not less than  
8 ten dollars nor more than twenty dollars.

9 **SECTION 2. AMENDMENT.** Section 39-06.1-08 of the North Dakota Century Code is  
10 amended and reenacted as follows:

11 **39-06.1-08. "Nonmoving violation" defined.** For the purposes of section 39-06.1-06,  
12 a "nonmoving violation" means:

13 1. A violation of section 39-04-11, 39-06-44, 39-06-45, 39-10-47, 39-10-49, 39-10-50,  
14 39-10-51, 39-10-54.1, 39-21-08, 39-21-10, 39-21-11, or 39-21-14, or a violation of  
15 any municipal ordinance equivalent to the foregoing sections, except that penalties  
16 set by ordinance for a nonmoving violation are not limited by this chapter.

17 2. A violation, discovered at a time when the vehicle is not actually being operated, of  
18 section 39-21-03, 39-21-05, 39-21-13, 39-21-19, 39-21-32, 39-21-37, 39-21-39, or  
19 39-21-44.2, or a violation of any municipal ordinance equivalent to the foregoing  
20 sections, except that penalties set by ordinance for a nonmoving violation are not  
21 limited by this chapter.

22 **SECTION 3. AMENDMENT.** Section 39-12-03 of the North Dakota Century Code is  
23 amended and reenacted as follows:

1           **39-12-03. Commissioner or local authorities may limit use of vehicles on**  
2 **highways.** Whenever ~~any~~ a highway will be seriously damaged or destroyed by reason of  
3 deterioration, rain, snow, or other climatic conditions unless the use of vehicles is prohibited or  
4 the weight of the vehicle thereon is limited, the commissioner or employees authorized by ~~him~~  
5 the commissioner by an order, and local authorities by ordinance or resolution, may prohibit the  
6 operation of vehicles upon ~~such~~ the highway or may impose restrictions as to the weight of  
7 vehicles. The commissioner or employees making ~~such~~ the order and local authorities  
8 enacting any ~~such~~ ordinance or resolution shall erect or cause to be erected and maintained  
9 signs designating the provisions of the order, ordinance, or resolution. ~~Such~~ The signs must be  
10 erected and maintained at each end of that portion of ~~any~~ the highway affected thereby, and  
11 ~~such~~ the order, ordinance, or resolution is not effective until ~~such~~ the signs are erected and  
12 maintained. The operation of trucks or other commercial vehicles or limitations as to the weight  
13 thereof on designated highways may be prohibited or limited in the same manner.