

**Fifty-seventh Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 9, 2001**

SENATE BILL NO. 2309
(Senators Stenehjem, Cook, O'Connell)
(Representatives Grumbo, Hawken, Price)

AN ACT to amend and reenact section 8-02-08 of the North Dakota Century Code, relating to safety standards for passenger contract carriers; and to provide a penalty.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 8-02-08 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

8-02-08. Safety standards for passenger contract carriers - Penalty.

1. The highway patrol shall establish minimum safety standards for passenger contract carriers transporting fewer than fifteen passengers. The safety standards must include provisions for driver qualifications; motor vehicle inspection, maintenance, and repair; hours of service; drug and alcohol testing; and insurance. Insurance safety standards for contract carriers that carry employees by contract with the employer must include uninsured and underinsured motorist coverage of not less than one million dollars per occurrence for the benefit of the passengers being transported. Coverage may be satisfied through a primary or an excess policy.
2. The highway patrol shall issue a permit to a passenger contract carrier transporting fewer than fifteen passengers which provides proof of compliance with the safety standards.
3. A person may not engage in the business of a passenger contract carrier transporting fewer than fifteen passengers without obtaining and displaying in each vehicle a permit issued under this section.
4. In this section, "contract carrier" means a person engaged in the business of carrying passengers for hire and in that business does not operate on a fixed route. The term does not include a person who makes a single daily round trip to commute to and from work, a person transporting only schoolchildren and teachers, a person operating ambulance or funeral services, a person who on occasion and not as a regular business enterprise transports one or more passengers for pay, a person operating stretched sedan-type limousines, nor a person operating a taxicab service using vehicles with a seating capacity of fewer than seven passengers.
5. A contract carrier that willfully violates this section or rules adopted to implement this section is guilty of an infraction.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Fifty-seventh Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2309.

Senate Vote: Yeas 48 Nays 0 Absent 1

House Vote: Yeas 92 Nays 5 Absent 1

Secretary of the Senate

Received by the Governor at _____ M. on _____, 2001.

Approved at _____ M. on _____, 2001.

Governor

Filed in this office this _____ day of _____, 2001,

at _____ o'clock _____ M.

Secretary of State