

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

SENATE BILL NO. 2159
(Transportation Committee)
(At the request of the Department of Transportation)

AN ACT to amend and reenact sections 39-04-08.1, 39-04-19, subsection 2 of section 39-04-36, and section 39-22-12 of the North Dakota Century Code, relating to number plate use and fees and a motor vehicle dealer licensing exemption; to repeal section 39-04-09.1 of the North Dakota Century Code, relating to Lewis and Clark number plates; to provide for a legislative council study; to provide application of points and fees; to provide a temporary allocation; to provide an effective date; and to provide an expiration date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 39-04-08.1 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

39-04-08.1. Assignment of motor vehicle number plates. Motor vehicle number plates may not be assigned as a reward for any political activity, in recognition of any political affiliation or membership in any political party, or on the basis of political favoritism. However, an elected state office may be assigned a single or double digit number on a number plate as requested by that official. ~~Except as provided in sections 39-04-10 and 39-04-10.3, the department shall charge a nonrefundable fee of ten dollars if an applicant chooses a number plate other than the number plate randomly assigned.~~ The department of transportation may adopt rules governing the assignment of numbers on motor vehicle number plates in accordance with this section.

SECTION 2. AMENDMENT. Section 39-04-19 of the North Dakota Century Code is amended and reenacted as follows:

39-04-19. Motor vehicle registration fees and mile tax. Motor vehicles required to pay registration fees or a mile tax shall pay the following fees:

1. Nonresidents electing to pay mile tax in lieu of registration, when authorized to do so by the department, shall pay a fee of twenty dollars for a trip permit which is valid for a period of seventy-two hours. All fees collected under the provisions of this subsection must be credited to the highway construction fund.
2. Motor vehicles required to be registered in this state must be furnished license plates upon the payment of the following annual fees; however, if a motor vehicle, including a motorcycle or trailer, first becomes subject to registration other than at the beginning of the registration period, such fees must be prorated on a monthly basis. The minimum fee charged hereunder must be five dollars:

a. Passenger motor vehicles:

Gross Weights	YEARS REGISTERED				
	1st, 2nd, 3rd, 4th, 5th, and 6th Years	7th, 8th, and 9th Years	10th, 11th, and 12th Years	13th and Subsequent Years	
Less than 3,200	\$50.00 <u>\$57.00</u>	\$42.00 <u>\$49.00</u>	\$34.00 <u>\$41.00</u>	\$26.00 <u>\$33.00</u>	
3,200 - 4,499	70.00 <u>77.00</u>	58.00 <u>65.00</u>	46.00 <u>53.00</u>	34.00 <u>41.00</u>	
4,500 - 4,999	88.00 <u>95.00</u>	71.00 <u>78.00</u>	56.00 <u>63.00</u>	40.00 <u>47.00</u>	
5,000 - 5,999	119.00 <u>126.00</u>	97.00 <u>104.00</u>	75.00 <u>82.00</u>	53.00 <u>60.00</u>	
6,000 - 6,999	152.00 <u>159.00</u>	123.00 <u>130.00</u>	94.00 <u>101.00</u>	66.00 <u>73.00</u>	

7,000 - 7,999	185.00 <u>192.00</u>	149.00 <u>156.00</u>	114.00 <u>121.00</u>	79.00 <u>86.00</u>
8,000 - 8,999	218.00 <u>225.00</u>	176.00 <u>183.00</u>	134.00 <u>141.00</u>	92.00 <u>99.00</u>
9,000 and over	251.00 <u>258.00</u>	202.00 <u>209.00</u>	154.00 <u>161.00</u>	105.00 <u>112.00</u>

A house car is subject to registration at the rates prescribed for other vehicles under this subdivision modified by using the weight applicable to a vehicle whose weight is forty percent of that of the house car, but not using a weight of less than four thousand pounds [1814.35 kilograms].

- b. Schoolbuses, buses for hire, buses owned and operated by religious, charitable, or nonprofit organizations and used exclusively for religious, charitable, or other public nonprofit purposes, and trucks or combination trucks and trailers, including commercial and noncommercial trucks, except those trucks or combinations of trucks and trailers which qualify for registration under subsection 5:

Gross Weights	YEARS REGISTERED				
	1st Through 6th Years	7th Through 9th Years	10th Through 12th Years	13th Through 19th Years	20th and Subsequent Years
Not over 4,000	\$48.00 <u>\$55.00</u>	\$35.00 <u>\$42.00</u>	\$30.00 <u>\$37.00</u>	\$27.00 <u>\$34.00</u>	\$26.00 <u>\$33.00</u>
4,001 - 6,000	53.00 <u>60.00</u>	40.00 <u>47.00</u>	34.00 <u>41.00</u>	28.00 <u>35.00</u>	27.00 <u>34.00</u>
6,001 - 8,000	58.00 <u>65.00</u>	45.00 <u>52.00</u>	38.00 <u>45.00</u>	29.00 <u>36.00</u>	28.00 <u>35.00</u>
8,001 - 10,000	63.00 <u>70.00</u>	50.00 <u>57.00</u>	42.00 <u>49.00</u>	31.00 <u>38.00</u>	30.00 <u>37.00</u>
10,001 - 12,000	68.00 <u>75.00</u>	55.00 <u>62.00</u>	46.00 <u>53.00</u>	33.00 <u>40.00</u>	32.00 <u>39.00</u>
12,001 - 14,000	73.00 <u>80.00</u>	60.00 <u>67.00</u>	50.00 <u>57.00</u>	36.00 <u>43.00</u>	35.00 <u>42.00</u>
14,001 - 16,000	78.00 <u>85.00</u>	65.00 <u>72.00</u>	54.00 <u>61.00</u>	39.00 <u>46.00</u>	38.00 <u>45.00</u>
16,001 - 18,000	83.00 <u>90.00</u>	70.00 <u>77.00</u>	58.00 <u>65.00</u>	41.00 <u>48.00</u>	40.00 <u>47.00</u>
18,001 - 20,000	86.00 <u>93.00</u>	73.00 <u>80.00</u>	60.00 <u>67.00</u>	42.00 <u>49.00</u>	41.00 <u>48.00</u>

Gross Weights	YEARS REGISTERED		
	1st, 2nd, 3rd, 4th, 5th, 6th, and 7th Years	8th, 9th, 10th, 11th, and 12th Years	13th and Subsequent Years
20,001 - 22,000	\$116.00 <u>\$123.00</u>	\$90.00 <u>\$97.00</u>	\$77.00 <u>\$84.00</u>
22,001 - 26,000	168.00 <u>175.00</u>	138.00 <u>145.00</u>	122.00 <u>129.00</u>
26,001 - 30,000	229.00 <u>236.00</u>	187.00 <u>194.00</u>	165.00 <u>172.00</u>
30,001 - 34,000	295.00 <u>302.00</u>	240.00 <u>247.00</u>	212.00 <u>219.00</u>
34,001 - 38,000	356.00 <u>363.00</u>	289.00 <u>296.00</u>	255.00 <u>262.00</u>
38,001 - 42,000	417.00 <u>424.00</u>	338.00 <u>345.00</u>	297.00 <u>304.00</u>
42,001 - 46,000	478.00 <u>485.00</u>	386.00 <u>393.00</u>	340.00 <u>347.00</u>
46,001 - 50,000	539.00 <u>546.00</u>	435.00 <u>442.00</u>	383.00 <u>390.00</u>
50,001 - 54,000	609.00 <u>616.00</u>	493.00 <u>500.00</u>	434.00 <u>441.00</u>
54,001 - 58,000	670.00 <u>677.00</u>	542.00 <u>549.00</u>	477.00 <u>484.00</u>
58,001 - 62,000	731.00 <u>739.00</u>	591.00 <u>598.00</u>	520.00 <u>527.00</u>
62,001 - 66,000	792.00 <u>799.00</u>	639.00 <u>646.00</u>	563.00 <u>570.00</u>
66,001 - 70,000	853.00 <u>860.00</u>	688.00 <u>695.00</u>	605.00 <u>612.00</u>
70,001 - 74,000	914.00 <u>921.00</u>	737.00 <u>744.00</u>	648.00 <u>655.00</u>
74,001 - 78,000	975.00 <u>982.00</u>	786.00 <u>793.00</u>	691.00 <u>698.00</u>
78,001 - 82,000	1,036.00 <u>1,043.00</u>	835.00 <u>842.00</u>	734.00 <u>741.00</u>
82,001 - 86,000	1,159.00 <u>1,166.00</u>	940.00 <u>947.00</u>	821.00 <u>828.00</u>
86,001 - 90,000	1,281.00 <u>1,288.00</u>	1,044.00 <u>1,051.00</u>	908.00 <u>915.00</u>
90,001 - 94,000	1,403.00 <u>1,410.00</u>	1,149.00 <u>1,156.00</u>	995.00 <u>1,002.00</u>
94,001 - 98,000	1,525.00 <u>1,532.00</u>	1,254.00 <u>1,261.00</u>	1,083.00 <u>1,090.00</u>
98,001 - 102,000	1,647.00 <u>1,654.00</u>	1,358.00 <u>1,365.00</u>	1,170.00 <u>1,177.00</u>
102,001 - 105,500	1,769.00 <u>1,776.00</u>	1,463.00 <u>1,470.00</u>	1,257.00 <u>1,264.00</u>

- c. Motorcycles, fifteen dollars.

3. Motor vehicles acquired by disabled veterans under the provisions of Public Law 79-663 [38 U.S.C. 3901] are exempt from the payment of state sales or use tax and, if paid, such veterans are entitled to a refund. This exemption also applies to any passenger motor vehicle or pickup truck not exceeding ten thousand pounds [4535.92 kilograms] gross weight but shall apply to no more than two such motor vehicles owned by a disabled veteran at any one time.
4. Every trailer, semitrailer, and farm trailer required to be registered under this chapter must be furnished registration plates upon the payment of a twenty dollar annual fee. Every trailer, semitrailer, or farm trailer not required to be registered under this chapter must be furnished an identification plate upon the payment of a fee of five dollars. Upon the request of a person with a trailer or farm trailer to whom a registration or identification plate is provided under this subsection, the department shall provide a plate of the same size as provided for a motorcycle. The department shall provide notification of this option to the person before the replacement or issuance of the plate.
5. Trucks or combinations of trucks and trailers weighing more than twenty thousand but not more than one hundred five thousand five hundred pounds [more than 9071.84 but not more than 47854.00 kilograms] which are used as farm vehicles only, are entitled to registration under the following fee schedule and the provisions of this subsection. Farm vehicles are considered, for the purpose of this subsection, as trucks or combinations of trucks and trailers weighing more than twenty thousand but not more than one hundred five thousand five hundred pounds [more than 9071.84 but not more than 47854.00 kilograms] owned, or leased for at least one year by a bona fide resident farmer who uses the vehicles exclusively for transporting the farmer's own property or other property on a farm work exchange basis with other farmers between farms and the usual local trading places but not in connection with any commercial retail or wholesale business being conducted from those farms, nor otherwise for hire. In addition to the penalty provided in section 39-04-41, any person violating this subsection shall license for the entire license period the farm vehicle at the higher commercial vehicle rate in accordance with the weight carried by the farm vehicle at the time of the violation.

Gross Weights	YEARS REGISTERED				
	1st, 2nd, 3rd, 4th, 5th, and 6th Years	7th and 8th Years	9th and 10th Years	11th and Subsequent Years	
20,001 - 22,000	\$88.00 <u>\$95.00</u>	\$74.00 <u>\$81.00</u>	\$60.00 <u>\$67.00</u>	\$42.00 <u>\$49.00</u>	
22,001 - 24,000	93.00 <u>100.00</u>	78.00 <u>85.00</u>	63.00 <u>70.00</u>	44.00 <u>51.00</u>	
24,001 - 26,000	101.00 <u>108.00</u>	84.00 <u>91.00</u>	67.00 <u>74.00</u>	46.00 <u>53.00</u>	
26,001 - 28,000	111.00 <u>119.00</u>	92.00 <u>99.00</u>	73.00 <u>80.00</u>	50.00 <u>57.00</u>	
28,001 - 30,000	121.00 <u>128.00</u>	100.00 <u>107.00</u>	79.00 <u>86.00</u>	54.00 <u>61.00</u>	
30,001 - 32,000	136.00 <u>143.00</u>	113.00 <u>120.00</u>	90.00 <u>97.00</u>	63.00 <u>70.00</u>	
32,001 - 34,000	146.00 <u>153.00</u>	121.00 <u>128.00</u>	96.00 <u>103.00</u>	67.00 <u>74.00</u>	
34,001 - 36,000	156.00 <u>163.00</u>	129.00 <u>136.00</u>	102.00 <u>109.00</u>	71.00 <u>78.00</u>	
36,001 - 38,000	166.00 <u>173.00</u>	137.00 <u>144.00</u>	108.00 <u>115.00</u>	75.00 <u>82.00</u>	
38,001 - 40,000	176.00 <u>183.00</u>	145.00 <u>152.00</u>	114.00 <u>121.00</u>	79.00 <u>86.00</u>	
40,001 - 42,000	186.00 <u>193.00</u>	153.00 <u>160.00</u>	120.00 <u>127.00</u>	83.00 <u>90.00</u>	
42,001 - 44,000	196.00 <u>203.00</u>	161.00 <u>168.00</u>	126.00 <u>133.00</u>	87.00 <u>94.00</u>	
44,001 - 46,000	206.00 <u>213.00</u>	169.00 <u>176.00</u>	132.00 <u>139.00</u>	91.00 <u>98.00</u>	
46,001 - 48,000	216.00 <u>223.00</u>	177.00 <u>184.00</u>	138.00 <u>145.00</u>	95.00 <u>102.00</u>	
48,001 - 50,000	226.00 <u>233.00</u>	185.00 <u>192.00</u>	144.00 <u>151.00</u>	99.00 <u>106.00</u>	
50,001 - 52,000	246.00 <u>253.00</u>	203.00 <u>210.00</u>	160.00 <u>167.00</u>	113.00 <u>120.00</u>	
52,001 - 54,000	256.00 <u>263.00</u>	211.00 <u>218.00</u>	166.00 <u>173.00</u>	117.00 <u>124.00</u>	
54,001 - 56,000	266.00 <u>273.00</u>	219.00 <u>226.00</u>	172.00 <u>179.00</u>	121.00 <u>128.00</u>	
56,001 - 58,000	276.00 <u>283.00</u>	227.00 <u>234.00</u>	178.00 <u>185.00</u>	125.00 <u>132.00</u>	
58,001 - 60,000	286.00 <u>293.00</u>	235.00 <u>242.00</u>	184.00 <u>191.00</u>	129.00 <u>136.00</u>	

60,001 - 62,000	296.00 303.00	243.00 250.00	190.00 197.00	133.00 140.00
62,001 - 64,000	306.00 313.00	251.00 258.00	196.00 203.00	137.00 144.00
64,001 - 66,000	316.00 323.00	259.00 266.00	202.00 209.00	141.00 148.00
66,001 - 68,000	326.00 333.00	267.00 274.00	208.00 215.00	145.00 152.00
68,001 - 70,000	336.00 343.00	275.00 282.00	214.00 221.00	149.00 156.00
70,001 - 72,000	346.00 353.00	283.00 290.00	220.00 227.00	153.00 160.00
72,001 - 74,000	356.00 363.00	291.00 298.00	226.00 233.00	157.00 164.00
74,001 - 76,000	366.00 373.00	299.00 306.00	232.00 239.00	161.00 168.00
76,001 - 78,000	376.00 383.00	307.00 314.00	238.00 245.00	165.00 172.00
78,001 - 80,000	386.00 393.00	315.00 322.00	244.00 251.00	169.00 176.00
80,001 - 82,000	396.00 403.00	323.00 330.00	250.00 257.00	173.00 180.00
82,001 - 84,000	406.00 413.00	345.00 352.00	293.00 300.00	249.00 256.00
84,001 - 86,000	426.00 433.00	362.00 369.00	307.00 314.00	261.00 268.00
86,001 - 88,000	446.00 453.00	379.00 386.00	321.00 328.00	273.00 280.00
88,001 - 90,000	466.00 473.00	396.00 403.00	335.00 342.00	285.00 292.00
90,001 - 92,000	486.00 493.00	413.00 420.00	349.00 356.00	297.00 304.00
92,001 - 94,000	506.00 513.00	430.00 437.00	363.00 370.00	309.00 316.00
94,001 - 96,000	526.00 533.00	447.00 454.00	377.00 384.00	321.00 328.00
96,001 - 98,000	546.00 553.00	464.00 471.00	391.00 398.00	333.00 340.00
98,001 - 100,000	566.00 573.00	481.00 488.00	405.00 412.00	345.00 352.00
100,001 - 102,000	586.00 593.00	498.00 505.00	419.00 426.00	357.00 364.00
102,001 - 104,000	606.00 613.00	515.00 522.00	433.00 440.00	369.00 376.00
104,001 - 105,500	626.00 633.00	532.00 539.00	447.00 454.00	381.00 388.00

6. A motor vehicle registered in subsection 5 may be used for custom combining operations by displaying identification issued by the department and upon payment of a fee of twenty-five dollars.

SECTION 3. AMENDMENT. Subsection 2 of section 39-04-36 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

2. Upon applying for the transfer of the registration and paying a five dollar fee, a person who transfers or assigns to another person the ownership of a registered vehicle may receive credit for the unused portion of the fees paid for the transferred vehicle. The transferor must use a number plate previously removed pursuant to subsection 1, regardless of whether there is any license fee credit remaining. If the number plate has become lost, stolen, or mutilated, the transferor may apply for duplicate plates. The department may establish procedures that permit the transferor to assign the credit to the transferee if the transferor is the spouse, a sibling, or a lineal ancestor or descendant of the transferee. One-twelfth of the annual fee must be credited for each month of the registration period remaining after the month in which the transfer is made. The credit may not extend beyond the original expiration of the registration. Except as provided in section 39-04-44, the credit must be applied to the registration fees for a replacement vehicle. The transferor shall apply for the transfer of registration within thirty days of the purchase of the replacement vehicle.

SECTION 4. AMENDMENT. Section 39-22-12 of the North Dakota Century Code is amended and reenacted as follows:

39-22-12. Officers to administer chapter - House car dealer, manufacturer, and distributor exemption. The director and any duly authorized representative ~~shall be~~ are responsible for the administration of ~~the provisions of~~ this chapter. This chapter does not apply to house car dealers, manufacturers, and distributors.

SECTION 5. LEGISLATIVE COUNCIL STUDY. The legislative council shall consider studying during the 2001-02 interim highway construction and maintenance funding, including revenue sources and distribution formulas for the state, cities, and counties. The legislative council shall report its

findings and recommendations, together with any legislation required to implement the recommendations, to the fifty-eighth legislative assembly.

SECTION 6. APPLICATION OF DEMERIT POINTS OR FEES. The operator's license demerit points or fees for driving in violation of section 39-09-02, or equivalent ordinance, as provided by Senate Bill No. 2088, as passed by the fifty-seventh legislative assembly, do not apply to offenses committed before July 1, 2001.

SECTION 7. TEMPORARY ALLOCATION. Two dollars of each registration fee collected under subsection 2 or 5 of section 39-04-19 must be deposited in the state highway fund.

SECTION 8. REPEAL. Section 39-04-09.1 of the North Dakota Century Code is repealed.

SECTION 9. EFFECTIVE DATE. Section 2 of this Act is effective for registrations due after June 30, 2001. Section 1 of this Act becomes effective on January 1, 2003. Section 8 of this Act becomes effective on January 1, 2007.

SECTION 10. EXPIRATION DATE. Section 7 of this Act is effective through June 30, 2003, and after that date is ineffective.

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. 2159.

Senate Vote: Yeas 28 Nays 20 Absent 1

House Vote: Yeas 67 Nays 21 Absent 10

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