

Fifty-ninth
Legislative Assembly
of North Dakota

HOUSE BILL NO.

Introduced by

Representative Carlisle

1 A BILL for an Act to amend and reenact section 39-06.1-11 of the North Dakota Century Code,
2 relating to temporary restricted drivers' licenses.

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

4 **SECTION 1. AMENDMENT.** Section 39-06.1-11 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **39-06.1-11. Temporary restricted license - Ignition interlock device.**

- 7 1. Except as provided under subsection 2, if the ~~licensing authority~~ director has
8 suspended a license under section 39-06.1-10; or if the ~~director~~ has extended a
9 suspension or revocation under section 39-06-43, ~~for more than seven days, the~~
10 ~~authority may, for good cause,~~ upon receiving written application from the offender
11 affected; the director may for good cause issue a temporary restricted operator's
12 license valid for the remainder of the suspension period after seven days of the
13 suspension period have passed; ~~for the remainder of the suspension period.~~
- 14 2. If the ~~licensing authority~~ director has suspended a license under chapter 39-20, or
15 after a violation of section 39-08-01 or equivalent ordinance, upon written
16 application of the offender the authority director may, in accordance with this
17 ~~section, for good cause, and upon written application of the offender,~~ issue a
18 temporary restricted license that takes effect after thirty days of the suspension
19 have been served after a first offense under section 39-08-01 or chapter 39-20.
20 The ~~licensing authority~~ director may not issue a temporary restricted license to any
21 offender whose operator's license has been revoked under section 39-20-04 or
22 suspended upon a second or subsequent offense under section 39-08-01 or
23 chapter 39-20, except that a temporary restricted license may be issued for good
24 cause if ~~no offenses have~~ an offense has not been committed for a period of two

1 years before the date of the filing of a written application that must be
2 accompanied by a report from an addiction facility or if an offense has not been
3 committed by an individual in the drug court program for a period of three hundred
4 sixty-five days before the date of the filing of a written application that must be
5 accompanied by a recommendation from the district court. The director may
6 conduct a hearing for the purposes of obtaining information, reports, and
7 evaluations from courts, law enforcement, and citizens to determine the offender's
8 conduct and driving behavior ~~for~~ during the two-year prerequisite period of time.
9 The director may also require that an ignition interlock device be installed in the
10 offender's vehicle.

11 ~~3.~~ 3. The ~~licensing authority~~ director may not issue a temporary restricted license for a
12 period of license revocation or suspension imposed under subsection 5 of section
13 39-06-17, section 39-06-31, or subsection 3.1 of section 39-06.1-10. A temporary
14 restricted license may be issued for suspensions ordered under subsection 7 of
15 section 39-06-32 if it could have been issued had the suspension resulted from
16 in-state conduct.

17 ~~3.~~ 4. A restricted license issued under this section ~~may authorize~~ is solely for the use of
18 a motor vehicle ~~only~~ only during the licensee's normal working hours, ~~or~~ and may
19 contain any other restrictions authorized by section 39-06-17. Violation of a
20 restriction imposed according to this section is deemed a violation of section
21 39-06-17.