

FIRST ENGROSSMENT

Fifty-ninth
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2255

Introduced by

Senators Trenbeath, Espegard, Tallackson

Representatives Delmore, Hawken, Weisz

1 A BILL for an Act to create and enact a new section to chapter 57-40.3 of the North Dakota
2 Century Code, relating to a separate and additional motor vehicle excise tax; to amend and
3 reenact sections 39-04-19, 39-04.2-03, 39-04.2-04, and 57-40.3-10 of the North Dakota
4 Century Code, relating to registration fees, funding for public transportation, and revenue from
5 the motor vehicle excise tax; to repeal section 7 of chapter 12 of the 2003 Session Laws,
6 relating to registration fee allocation; and to provide an effective date.

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

8 **SECTION 1. AMENDMENT.** Section 39-04-19 of the North Dakota Century Code is
9 amended and reenacted as follows:

10 **39-04-19. Motor vehicle registration fees and mile tax.** Motor vehicles required to
11 pay registration fees or a mile tax shall pay the following fees:

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

21 a. Passenger motor vehicles:

	YEARS REGISTERED			
	1st, 2nd,	7th, 8th,	10th, 11th,	13th and
	3rd, 4th, 5th,	and 9th	and 12th	Subsequent
22				
23	Gross			
24				

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1	Weights	and 6th Years	Years	Years	Years
2	Less than 3,200	\$60 <u>\$67.50</u>	\$52 <u>\$59.50</u>	\$44 <u>\$51.50</u>	\$36 <u>\$43.50</u>
3	3,200 - 4,499	80 <u>87.50</u>	68 <u>75.50</u>	56 <u>63.50</u>	44 <u>51.50</u>
4	4,500 - 4,999	98 <u>105.50</u>	84 <u>88.50</u>	66 <u>73.50</u>	50 <u>57.50</u>
5	5,000 - 5,999	129 <u>136.50</u>	107 <u>114.50</u>	85 <u>92.50</u>	63 <u>70.50</u>
6	6,000 - 6,999	162 <u>169.50</u>	133 <u>140.50</u>	104 <u>111.50</u>	76 <u>83.50</u>
7	7,000 - 7,999	195 <u>202.50</u>	159 <u>166.50</u>	124 <u>131.50</u>	89 <u>96.50</u>
8	8,000 - 8,999	228 <u>235.50</u>	186 <u>193.50</u>	144 <u>151.50</u>	102 <u>109.50</u>
9	9,000 and over	264 <u>268.50</u>	212 <u>219.50</u>	164 <u>171.50</u>	115 <u>122.50</u>

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

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

20	YEARS REGISTERED					
21		1st	7th	10th	13th	20th and
22	Gross	Through	Through	Through	Through	Subsequent
23	Weights	6th Years	9th Years	12th Years	19th Years	Years
24	Not over 4,000	\$58 <u>\$65.50</u>	\$45 <u>\$52.50</u>	\$40 <u>\$47.50</u>	\$37 <u>\$44.50</u>	\$36 <u>\$43.50</u>
25	4,001 - 6,000	63 <u>70.50</u>	50 <u>57.50</u>	44 <u>51.50</u>	38 <u>45.50</u>	37 <u>44.50</u>
26	6,001 - 8,000	68 <u>75.50</u>	55 <u>62.50</u>	48 <u>55.50</u>	39 <u>46.50</u>	38 <u>45.50</u>
27	8,001 - 10,000	73 <u>80.50</u>	60 <u>67.50</u>	52 <u>59.50</u>	41 <u>48.50</u>	40 <u>47.50</u>
28	10,001 - 12,000	78 <u>85.50</u>	65 <u>72.50</u>	56 <u>63.50</u>	43 <u>50.50</u>	42 <u>49.50</u>
29	12,001 - 14,000	83 <u>90.50</u>	70 <u>77.50</u>	60 <u>67.50</u>	46 <u>53.50</u>	45 <u>52.50</u>
30	14,001 - 16,000	88 <u>95.50</u>	75 <u>82.50</u>	64 <u>71.50</u>	49 <u>56.50</u>	48 <u>55.50</u>

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1	16,001 - 18,000	93 <u>100.50</u>	80 <u>87.50</u>	68 <u>75.50</u>	54 <u>58.50</u>	50 <u>57.50</u>
2	18,001 - 20,000	96 <u>103.50</u>	83 <u>90.50</u>	70 <u>77.50</u>	52 <u>59.50</u>	54 <u>58.50</u>

YEARS REGISTERED

		1st, 2nd, 3rd, 4th, 5th, 6th, and 7th Years	8th, 9th, 10th, 11th, and 12th Years	13th and Subsequent Years
3				
4				
5	Gross			
6	Weights			
7	20,001 - 22,000	\$126 <u>\$133.50</u>	\$100 <u>\$107.50</u>	\$87 <u>\$94.50</u>
8	22,001 - 26,000	478 <u>185.50</u>	448 <u>155.50</u>	432 <u>139.50</u>
9	26,001 - 30,000	239 <u>246.50</u>	497 <u>204.50</u>	475 <u>182.50</u>
10	30,001 - 34,000	305 <u>312.50</u>	250 <u>257.50</u>	222 <u>229.50</u>
11	34,001 - 38,000	366 <u>373.50</u>	299 <u>306.50</u>	265 <u>272.50</u>
12	38,001 - 42,000	427 <u>434.50</u>	348 <u>355.50</u>	307 <u>314.50</u>
13	42,001 - 46,000	488 <u>495.50</u>	396 <u>403.50</u>	350 <u>357.50</u>
14	46,001 - 50,000	549 <u>556.50</u>	445 <u>452.50</u>	393 <u>400.50</u>
15	50,001 - 54,000	619 <u>626.50</u>	503 <u>510.50</u>	444 <u>457.50</u>
16	54,001 - 58,000	680 <u>687.50</u>	552 <u>559.50</u>	487 <u>494.50</u>
17	58,001 - 62,000	742 <u>749.50</u>	604 <u>608.50</u>	530 <u>537.50</u>
18	62,001 - 66,000	802 <u>809.50</u>	649 <u>656.50</u>	573 <u>580.50</u>
19	66,001 - 70,000	863 <u>870.50</u>	698 <u>705.50</u>	615 <u>622.50</u>
20	70,001 - 74,000	924 <u>931.50</u>	747 <u>754.50</u>	658 <u>665.60</u>
21	74,001 - 78,000	985 <u>992.50</u>	796 <u>803.50</u>	704 <u>708.50</u>
22	78,001 - 82,000	1,046 <u>1,053.50</u>	845 <u>852.50</u>	744 <u>751.50</u>
23	82,001 - 86,000	1,169 <u>1,176.50</u>	950 <u>957.50</u>	834 <u>838.50</u>
24	86,001 - 90,000	1,294 <u>1,298.50</u>	1,054 <u>1,061.50</u>	948 <u>925.50</u>
25	90,001 - 94,000	1,413 <u>1,420.50</u>	1,159 <u>1,166.50</u>	1,005 <u>1,012.50</u>
26	94,001 - 98,000	1,535 <u>1,543.50</u>	1,264 <u>1,271.50</u>	1,093 <u>1,100.50</u>
27	98,001 - 102,000	1,657 <u>1,664.50</u>	1,368 <u>1,375.50</u>	1,180 <u>1,187.50</u>
28	102,001 - 105,500	1,779 <u>1,786.50</u>	1,473 <u>1,480.50</u>	1,267 <u>1,274.50</u>

29 c. Motorcycles, fifteen dollars.

30 3. Motor vehicles acquired by disabled veterans under the provisions of Public Law
31 79-663 [38 U.S.C. 3901] are exempt from the payment of state sales or use tax

1 and, if paid, such veterans are entitled to a refund. This exemption also applies to
2 any passenger motor vehicle or pickup truck not exceeding ten thousand pounds
3 [4535.92 kilograms] gross weight but shall apply to no more than two such motor
4 vehicles owned by a disabled veteran at any one time.

5 4. Every trailer, semitrailer, and farm trailer required to be registered under this
6 chapter must be furnished registration plates upon the payment of a twenty dollar
7 annual fee. Every trailer, semitrailer, or farm trailer not required to be registered
8 under this chapter must be furnished an identification plate upon the payment of a
9 fee of five dollars. Upon the request of a person with a trailer or farm trailer to
10 whom a registration or identification plate is provided under this subsection, the
11 department shall provide a plate of the same size as provided for a motorcycle.
12 The department shall provide notification of this option to the person before the
13 replacement or issuance of the plate.

14 5. Trucks or combinations of trucks and trailers weighing more than twenty thousand
15 but not more than one hundred five thousand five hundred pounds [more than
16 9071.84 but not more than 47854.00 kilograms] which are used as farm vehicles
17 only, are entitled to registration under the following fee schedule and the provisions
18 of this subsection. Farm vehicles are considered, for the purpose of this
19 subsection, as trucks or combinations of trucks and trailers weighing more than
20 twenty thousand but not more than one hundred five thousand five hundred
21 pounds [more than 9071.84 but not more than 47854.00 kilograms] owned, or
22 leased for at least one year by a bona fide resident farmer who uses the vehicles
23 exclusively for transporting the farmer's own property or other property on a farm
24 work exchange basis with other farmers between farms and the usual local trading
25 places but not in connection with any commercial retail or wholesale business
26 being conducted from those farms, nor otherwise for hire. In addition to the
27 penalty provided in section 39-04-41, any person violating this subsection shall
28 license for the entire license period the farm vehicle at the higher commercial
29 vehicle rate in accordance with the weight carried by the farm vehicle at the time of
30 the violation.

31 YEARS REGISTERED

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1		1st, 2nd,	7th and	9th and	11th and
2	Gross	3rd, 4th, 5th,	8th	10th	Subsequent
3	Weights	and 6th Years	Years	Years	Years
4	20,001 - 22,000	\$98 <u>\$105.50</u>	\$84 <u>\$91.50</u>	\$70 <u>\$77.50</u>	\$52 <u>\$59.50</u>
5	22,001 - 24,000	403 <u>110.50</u>	88 <u>95.50</u>	73 <u>80.50</u>	54 <u>61.50</u>
6	24,001 - 26,000	411 <u>118.52</u>	94 <u>101.50</u>	77 <u>84.50</u>	56 <u>63.50</u>
7	26,001 - 28,000	422 <u>129.50</u>	102 <u>109.50</u>	83 <u>90.50</u>	60 <u>67.50</u>
8	28,001 - 30,000	434 <u>138.50</u>	110 <u>117.50</u>	89 <u>96.50</u>	64 <u>71.50</u>
9	30,001 - 32,000	446 <u>153.50</u>	123 <u>130.50</u>	100 <u>107.50</u>	73 <u>80.50</u>
10	32,001 - 34,000	456 <u>163.50</u>	134 <u>138.50</u>	106 <u>113.50</u>	77 <u>84.50</u>
11	34,001 - 36,000	466 <u>173.50</u>	139 <u>146.50</u>	112 <u>119.50</u>	81 <u>88.50</u>
12	36,001 - 38,000	476 <u>183.50</u>	147 <u>154.50</u>	118 <u>125.50</u>	85 <u>92.50</u>
13	38,001 - 40,000	486 <u>193.50</u>	155 <u>163.50</u>	124 <u>131.50</u>	89 <u>96.50</u>
14	40,001 - 42,000	496 <u>203.50</u>	163 <u>170.50</u>	130 <u>137.50</u>	93 <u>100.50</u>
15	42,001 - 44,000	206 <u>213.50</u>	174 <u>178.50</u>	136 <u>143.50</u>	97 <u>104.50</u>
16	44,001 - 46,000	216 <u>223.50</u>	179 <u>186.50</u>	142 <u>149.50</u>	101 <u>108.50</u>
17	46,001 - 48,000	226 <u>233.50</u>	187 <u>194.50</u>	148 <u>155.50</u>	105 <u>112.50</u>
18	48,001 - 50,000	236 <u>243.50</u>	195 <u>202.50</u>	154 <u>161.50</u>	109 <u>116.50</u>
19	50,001 - 52,000	256 <u>263.50</u>	213 <u>220.50</u>	170 <u>177.50</u>	123 <u>130.50</u>
20	52,001 - 54,000	266 <u>273.50</u>	221 <u>228.50</u>	176 <u>183.50</u>	127 <u>134.50</u>
21	54,001 - 56,000	276 <u>283.50</u>	229 <u>236.50</u>	182 <u>189.50</u>	131 <u>138.50</u>
22	56,001 - 58,000	286 <u>293.50</u>	237 <u>244.50</u>	188 <u>195.50</u>	135 <u>142.50</u>
23	58,001 - 60,000	296 <u>303.50</u>	245 <u>252.50</u>	194 <u>201.50</u>	139 <u>146.50</u>
24	60,001 - 62,000	306 <u>313.50</u>	253 <u>260.50</u>	200 <u>207.50</u>	143 <u>150.50</u>
25	62,001 - 64,000	316 <u>323.50</u>	261 <u>268.50</u>	206 <u>213.50</u>	147 <u>154.50</u>
26	64,001 - 66,000	326 <u>333.50</u>	269 <u>276.50</u>	212 <u>219.50</u>	151 <u>158.50</u>
27	66,001 - 68,000	336 <u>343.50</u>	277 <u>284.50</u>	218 <u>225.50</u>	155 <u>162.50</u>
28	68,001 - 70,000	346 <u>353.50</u>	285 <u>292.50</u>	224 <u>231.50</u>	159 <u>166.50</u>
29	70,001 - 72,000	356 <u>363.50</u>	293 <u>300.50</u>	230 <u>237.50</u>	163 <u>170.50</u>
30	72,001 - 74,000	366 <u>373.50</u>	301 <u>308.50</u>	236 <u>243.50</u>	167 <u>174.50</u>
31	74,001 - 76,000	376 <u>383.50</u>	309 <u>316.50</u>	242 <u>249.50</u>	171 <u>178.50</u>

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1	76,001 - 78,000	386 <u>393.50</u>	317 <u>324.50</u>	248 <u>255.50</u>	475 <u>182.50</u>
2	78,001 - 80,000	396 <u>403.50</u>	325 <u>332.50</u>	254 <u>261.50</u>	479 <u>186.50</u>
3	80,001 - 82,000	406 <u>413.50</u>	333 <u>340.50</u>	260 <u>267.50</u>	483 <u>190.50</u>
4	82,001 - 84,000	416 <u>423.50</u>	355 <u>362.50</u>	303 <u>310.50</u>	259 <u>266.50</u>
5	84,001 - 86,000	436 <u>443.50</u>	372 <u>379.50</u>	317 <u>324.50</u>	271 <u>278.50</u>
6	86,001 - 88,000	456 <u>463.50</u>	389 <u>396.50</u>	331 <u>338.50</u>	283 <u>290.50</u>
7	88,001 - 90,000	476 <u>483.50</u>	406 <u>413.50</u>	345 <u>352.50</u>	295 <u>302.50</u>
8	90,001 - 92,000	496 <u>503.50</u>	423 <u>430.50</u>	359 <u>366.50</u>	307 <u>314.50</u>
9	92,001 - 94,000	516 <u>523.50</u>	440 <u>447.50</u>	373 <u>380.50</u>	319 <u>326.50</u>
10	94,001 - 96,000	536 <u>543.50</u>	457 <u>464.50</u>	387 <u>394.50</u>	331 <u>338.50</u>
11	96,001 - 98,000	556 <u>563.50</u>	474 <u>481.50</u>	401 <u>408.50</u>	343 <u>350.50</u>
12	98,001 - 100,000	576 <u>583.50</u>	491 <u>498.50</u>	415 <u>422.50</u>	355 <u>362.50</u>
13	100,001 - 102,000	596 <u>603.50</u>	508 <u>515.50</u>	429 <u>436.50</u>	367 <u>374.50</u>
14	102,001 - 104,000	616 <u>623.50</u>	525 <u>532.50</u>	443 <u>450.50</u>	379 <u>386.50</u>
15	104,001 - 105,500	636 <u>643.50</u>	542 <u>549.50</u>	457 <u>464.50</u>	391 <u>398.50</u>

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

19 **SECTION 2. AMENDMENT.** Section 39-04.2-03 of the North Dakota Century Code is
20 amended and reenacted as follows:

21 **39-04.2-03. Additional registration fee - Deposit in fund.** At the time of registering a
22 motor vehicle subject to registration under section 39-04-19, the owner shall pay to the director
23 in addition to the registration fee a fee of ~~two~~ three dollars for each motor vehicle registered.
24 The fee must be deposited with the state treasurer, who shall credit the fee to the public
25 transportation fund.

26 **SECTION 3. AMENDMENT.** Section 39-04.2-04 of the North Dakota Century Code is
27 amended and reenacted as follows:

28 **39-04.2-04. Distribution of funds.**

29 1. Moneys appropriated by the legislative assembly to the public transportation fund
30 must be disbursed under guidelines issued by the director. The funds must be
31 used by transportation providers to establish and maintain public transportation,

1 especially for the elderly and handicapped, and may be used to contract to provide
2 public transportation, as matching funds to procure money from other sources for
3 public transportation and for other expenditures authorized by the director.

4 2. Following authorization of the director, the state treasurer shall pay the public
5 transportation funds to transportation providers in each county. Each county shall
6 receive ~~twelve~~ eighteen thousand ~~two~~ three hundred dollars plus one dollar and
7 fifty cents per capita of population in the county, based upon the latest regular or
8 special official federal census. Each year the director shall increase or decrease
9 the one dollar and fifty cents per capita amount in order to distribute all funds
10 appropriated for the biennium. If there are multiple transportation providers in one
11 county, then the base amount of ~~twelve~~ eighteen thousand ~~two~~ three hundred
12 dollars must be divided equally among the providers and the additional per capita
13 amount must be based upon the percentage of elderly and handicapped ridership
14 provided by each transportation provider within the county.

15 3. Unless otherwise provided by law, any moneys remaining in the fund at the end of
16 each biennium must be retained in the public transportation fund for redistribution.

17 **SECTION 4.** A new section to chapter 57-40.3 of the North Dakota Century Code is
18 created and enacted as follows:

19 **Separate and additional motor vehicle excise tax - Transfer of revenue.** In addition
20 to the tax otherwise imposed under section 57-40.3-02, there is imposed an excise tax at the
21 rate of one-half of one percent on the purchase price of any motor vehicle purchased or
22 acquired in or outside this state for use on the streets and highways of this state and required
23 to be registered under the laws of this state. The entire revenue from tax imposed under this
24 section must be transmitted monthly by the director of the department of transportation to the
25 state treasurer and deposited in the state highway fund.

26 **SECTION 5. AMENDMENT.** Section 57-40.3-10 of the North Dakota Century Code is
27 amended and reenacted as follows:

28 **57-40.3-10. Transfer of revenue.** All Except as otherwise provided in section 1 of this
29 Act, all moneys collected and received under this chapter must be transmitted monthly by the
30 director of the department of transportation to the state treasurer to be transferred and credited
31 to the general fund.

- 1 **SECTION 6. REPEAL.** Section 7 of chapter 12 of the 2003 Session Laws is repealed.
- 2 **SECTION 7. EFFECTIVE DATE.** This Act is effective for taxable events occurring after
- 3 June 30, 2005.