

**Sixtieth Legislative Assembly of North Dakota  
In Regular Session Commencing Wednesday, January 3, 2007**

SENATE BILL NO. 2113  
(Transportation Committee)  
(At the request of the Department of Transportation)

AN ACT to amend and reenact subsection 9 of section 39-04-05, section 39-19-06, and subsection 3 of section 57-40.3-04 of the North Dakota Century Code, relating to refusing motor vehicle registration, adopting the unified carrier registration plan, and claiming a motor vehicle excise tax exemption; and to declare an emergency.

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

**SECTION 1. AMENDMENT.** Subsection 9 of section 39-04-05 of the North Dakota Century Code is amended and reenacted as follows:

9. When the vehicle is operating in violation of the provisions of the international registration plan ~~or~~, international fuel tax agreement, or the unified carrier registration plan.

**SECTION 2. AMENDMENT.** Section 39-19-06 of the North Dakota Century Code is amended and reenacted as follows:

**39-19-06. ~~Single state insurance~~ Unified carrier registration system.** The director may adopt all rules necessary to enable this state to participate in the ~~single state insurance~~ unified carrier registration system for motor carriers authorized by ~~section 4005 of the Intermodal Surface Transportation Efficiency Act of 1991 [Pub. L. No. 102-240, 105 Stat. 1914, 49 U.S.C. 11506]~~ subtitle C of the Safe, Accountable, Flexible, Efficient Transportation Act of 2005 [Pub. L. 109-59; 119 Stat. 1761; 49 U.S.C. 14504a] and by applicable rules and regulations ~~of the interstate commerce commission.~~ In determining whether to adopt rules as permitted by this section, the director shall consider the costs and benefits to the state of participating in the ~~single state insurance~~ unified carrier registration program. Any moneys derived from participation in the ~~single state insurance~~ unified carrier registration program must be deposited in the highway fund.

**SECTION 3. AMENDMENT.** Subsection 3 of section 57-40.3-04 of the North Dakota Century Code is amended and reenacted as follows:

3. Motor carrier vehicles in excess of twenty thousand pounds [9071.85 kilograms] gross weight, whether owned or leased, engaged in interstate commerce but only to the extent their fleet miles outside North Dakota bear to their total fleet miles. For the purposes of this subsection, "fleet miles" means those miles reported in accordance with the international registration plan and must coincide with the mileage reporting period required by the plan. For the purposes of this subsection, "motor carrier vehicles" means any vehicles used upon public streets or highways for the purpose of transporting persons or property for commercial purposes. To claim this exemption, the motor carrier's vehicles must be both titled and registered in this state.

**SECTION 4. EMERGENCY.** This Act is declared to be an emergency measure.

\_\_\_\_\_  
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 Sixtieth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2113 and that two-thirds of the members-elect of the Senate voted in favor of said law.

Vote:      Yeas          46                  Nays          0                  Absent        1

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Secretary of the Senate

This certifies that two-thirds of the members-elect of the House of Representatives voted in favor of said law.

Vote:      Yeas          92                  Nays          0                  Absent        2

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
Chief Clerk of the House

Received by the Governor at \_\_\_\_\_ M. on \_\_\_\_\_, 2007.

Approved at \_\_\_\_\_ M. on \_\_\_\_\_, 2007.

\_\_\_\_\_  
Governor

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 2007,

at \_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State