

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

HOUSE BILL NO. 1090
(Transportation Committee)
(At the request of the Department of Transportation)

AN ACT to amend and reenact sections 24-02-03.5, 39-02-05, 39-05-30, 39-18-02.1, 39-22.1-02.1, 39-24-05, and 39-29-05 of the North Dakota Century Code, relating to deposit of fleet services and highway tax distribution funds.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 24-02-03.5 of the North Dakota Century Code is amended and reenacted as follows:

24-02-03.5. User charges - Incidental revenues. Each entity using the central vehicle management system shall pay a user charge to the director. The user charge will be set by the director and must be based upon the actual cost of the service provided, including depreciation. The user charges and any proceeds from insurance claims, motor vehicle sales, commercial refunds or rebates, or similarly derived proceeds must be remitted to the state treasurer for deposit in the highway fleet services fund.

SECTION 2. AMENDMENT. Section 39-02-05 of the North Dakota Century Code is amended and reenacted as follows:

39-02-05. (See note for contingent expiration of amendment) Records of the department open to public inspection. Except as provided by chapter 39-33, all registration and license records in the office of the department must be public records and must be open to inspection by the public during business hours. The director shall charge a uniform fee, not to exceed three dollars, for each item of information furnished to any person concerning a specific motor vehicle. However, such charges may not be assessed to a person requesting information concerning a motor vehicle of which that person is the owner, nor may such charges apply to law enforcement officials requesting motor vehicle information in their official capacity. All fees received under the provisions of this section must be credited to the ~~motor vehicle registration~~ highway tax distribution fund.

SECTION 3. AMENDMENT. Section 39-05-30 of the North Dakota Century Code is amended and reenacted as follows:

39-05-30. Fees and revenues collected placed in ~~motor registration~~ highway tax distribution fund - Payment of salaries and expenses. All fees and revenues received by the director under the provisions of this chapter must be deposited by the director in the state treasury. Such moneys must be placed in the ~~motor registration~~ highway tax distribution fund. All salaries and other expenses incurred in connection with the provisions of this chapter must be paid out of the ~~motor registration~~ highway tax distribution fund in the manner provided by law for the disbursement of said fund.

SECTION 4. AMENDMENT. Section 39-18-02.1 of the North Dakota Century Code is amended and reenacted as follows:

39-18-02.1. Disposition of fees. Fees from registration of dealers must be deposited with the state treasurer and credited to the ~~motor vehicle registration~~ highway tax distribution fund.

SECTION 5. AMENDMENT. Section 39-22.1-02.1 of the North Dakota Century Code is amended and reenacted as follows:

39-22.1-02.1. Disposition of fees. Fees from registration of dealers must be deposited with the state treasurer and credited to the ~~motor registration~~ highway tax distribution fund.

SECTION 6. AMENDMENT. Section 39-24-05 of the North Dakota Century Code is amended and reenacted as follows:

39-24-05. Disposition of registration fees and trail tax - Transfer from highway tax distribution fund. Fees from registration of snowmobiles must be deposited with the state treasurer and credited to the ~~motor vehicle registration~~ highway tax distribution fund. The snowmobile trail tax must be deposited in a state snowmobile fund in the state treasury. Additionally, an amount equal to the tax collected on thirty gallons [113.56 liters] of motor vehicle fuel multiplied by the number of collector snowmobiles and snowmobiles registered under this chapter must be transferred annually from the highway tax distribution fund, before allocation of the fund under section 54-27-19, and credited to the state snowmobile fund. The parks and recreation department may, upon appropriation by the legislative assembly, expend from such fund moneys it deems necessary for purposes of administering snowmobile safety programs and establishing and maintaining snowmobile facilities and programs.

SECTION 7. AMENDMENT. Section 39-29-05 of the North Dakota Century Code is amended and reenacted as follows:

39-29-05. Disposition of registration fees and trail tax.

1. Fees from registration of off-highway vehicles must be deposited with the state treasurer and credited to the ~~motor vehicle registration~~ highway tax distribution fund.
2. The off-highway vehicle trail tax must be deposited in a state off-highway vehicle fund in the state treasury. The parks and recreation department may, on appropriation by the legislative assembly, expend from that fund moneys for establishing off-highway vehicle facilities, off-highway vehicle use areas, and off-highway vehicle safety and education programs, and enforcement of this chapter.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixtieth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1090.

House Vote: Yeas 93 Nays 0 Absent 1

Senate Vote: Yeas 45 Nays 0 Absent 2

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