

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

HOUSE BILL NO. 1089
(Transportation Committee)
(At the request of the Department of Transportation)

AN ACT to amend and reenact sections 39-26-12, 39-29.1-01, and 39-29.1-08 of the North Dakota Century Code, relating to the abandoned motor vehicle fund and low-speed vehicles.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 39-26-12 of the North Dakota Century Code is amended and reenacted as follows:

39-26-12. Tax on initial motor vehicle certificates of title—~~When tax is suspended.~~ There is hereby imposed a tax of ~~two dollars~~ one dollar and fifty cents on each initial North Dakota certificate of title issued to a passenger motor vehicle or a truck motor vehicle. The proceeds of such tax must be paid into the abandoned motor vehicle disposal fund in the state treasury. No registration plates or title certificate may be issued unless such tax is paid. Expenses of the fund arising from the provisions of this chapter must be paid from the fund within the limits of legislative appropriation. If on the first day of July in any year the amount of uncommitted money in the abandoned motor vehicle disposal fund is two hundred fifty thousand dollars or more, the ~~tax must be suspended and the amount in excess of two hundred fifty thousand dollars must be transferred to the highway fund. If the tax has been suspended and on the first day of July in any year the amount of uncommitted money in the abandoned motor vehicle disposal fund is one hundred thousand dollars or less the tax must be reimposed on and after January first of the succeeding year.~~

SECTION 2. AMENDMENT. Section 39-29.1-01 of the North Dakota Century Code is amended and reenacted as follows:

39-29.1-01. Definitions. As used in this chapter, unless the context otherwise requires:

1. "Low-speed vehicle" means a four-wheeled vehicle that is able to attain a speed, upon a paved level surface, of more than twenty miles [32 kilometers] per hour in one mile [1.6 kilometers] and not more than twenty-five miles [40 kilometers] per hour in one mile [1.6 kilometers] and may not exceed ~~one three thousand five hundred~~ 1361 kilograms] in ~~unloaded~~ weight when fully loaded with passengers and any cargo.
2. "Operate" means to ride in or on and control the operation of a low-speed vehicle.
3. "Register" means the act of assigning a registration number to a low-speed vehicle.

SECTION 3. AMENDMENT. Section 39-29.1-08 of the North Dakota Century Code is amended and reenacted as follows:

39-29.1-08. Equipment. A low-speed vehicle must be equipped with headlamps, front and rear turn signal lamps, taillamps, stop lamps, red reflex reflectors on each side as far to the rear of the vehicle as practicable and one red reflector on the rear, brakes, a parking brake, a windshield, a vehicle identification number, a safety belt assembly installed at each designated seating position, an exterior mirror mounted on the operator's side of the vehicle, and either an exterior mirror mounted on the passenger's side of the vehicle or an interior rearview mirror.

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. 1089.

House Vote: Yeas 88 Nays 5 Absent 1

Senate Vote: Yeas 46 Nays 0 Absent 1

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