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Sixty-first
Legislative Assembly
of North Dakota

Introduced by

1 A BILL for an Act to amend and reenact subsection 7 of section 19-03.1-23 of the North Dakota
2 Century Code, relating to drugs in a motor vehicle.

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

4 **SECTION 1. AMENDMENT.** Subsection 7 of section 19-03.1-23 of the North Dakota
5 Century Code is amended and reenacted as follows:

6 7. Except as provided by section 19-03.1-45, a court may order a person who violates
7 this chapter or chapter 19-03.4 to undergo a drug addiction evaluation by a
8 licensed addiction counselor. The court shall order a person who violates this
9 chapter or chapter 19-03.4 to undergo a drug addiction evaluation by a licensed
10 addiction counselor if the offense occurred while the person was operating a motor
11 vehicle or in actual physical control of a motor vehicle and suspend the license of
12 the person for thirty days. The evaluation must indicate the prospects for
13 rehabilitation and whether addiction treatment is required. If ordered, the
14 evaluation must be submitted to the court before imposing punishment for a felony
15 violation or a misdemeanor violation. If the person is found to be in need of alcohol
16 and substance abuse treatment and rehabilitation and has that person's license
17 suspended under this subsection, the court shall require the defendant to complete
18 alcohol and substance abuse treatment and rehabilitation as a condition of the
19 return of driving privileges.