

**Sixty-first Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 6, 2009**

HOUSE BILL NO. 1153
(Transportation Committee)
(At the request of the Department of Transportation)

AN ACT to amend and reenact subsection 1 of section 39-04-19, sections 39-04-39.3 and 39-05-30, and subsection 3 of section 39-16-10 of the North Dakota Century Code, relating to deposit of mile tax fees, motor vehicle registration fee collection agreements with home rule cities, payment of salary and expenses, and payments and refunds from funds on deposit with the Bank of North Dakota.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subsection 1 of section 39-04-19 of the North Dakota Century Code is amended and reenacted as follows:

1. Nonresidents electing to pay mile tax in lieu of registration, when authorized to do so by the department, shall pay a fee of twenty dollars for a trip permit which is valid for a period of seventy-two hours. All fees collected under the provisions of this subsection must be credited to the state highway construction fund.

SECTION 2. AMENDMENT. Section 39-04-39.3 of the North Dakota Century Code is amended and reenacted as follows:

39-04-39.3. Motor vehicle registration fee collection agreements with home rule cities. The governing body of any incorporated city that has adopted the home rule provisions of chapter 40-05.1 and the department may enter into contractual agreements under which the department may collect any motor vehicle registration fees assessed by the city. Agreements entered into under this section must provide for an agreed-upon amount to be allowed the department for services rendered in connection with the collections. Any agreed-upon amount collected must be deposited in the motor vehicle registration fund. The department shall deposit with the state treasurer all money collected under this section and shall accompany each remittance with a certificate showing the city for which it was collected. The state treasurer, quarterly, shall pay to the city auditors of the several cities the money to which they are entitled under this section. ~~Agreements entered into under this section must provide for an agreed amount to be allowed the department for services rendered in connection with the collections. Any sums collected for services rendered must be paid to the state treasurer for deposit in the motor vehicle registration 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 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 highway tax distribution fund. All salaries and other expenses incurred in connection with the provisions of this chapter must be paid out of the ~~highway tax distribution~~ motor vehicle registration fund in the manner provided by law for the disbursement of said fund.

SECTION 4. AMENDMENT. Subsection 3 of section 39-16-10 of the North Dakota Century Code is amended and reenacted as follows:

3. All payments and refunds made from cash deposits in the Bank of North Dakota under this chapter must be made upon a warrant-check issued by the ~~office of management and~~

~~budget department of transportation after submission of a duly authorized voucher signed by the director and approved by the office of the budget.~~

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 Sixty-first Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1153.

House Vote: Yeas 91 Nays 0 Absent 3

Senate Vote: Yeas 47 Nays 0 Absent 0

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2009.

Approved at _____ M. on _____, 2009.

Governor

Filed in this office this _____ day of _____, 2009,

at _____ o'clock _____ M.

Secretary of State