

**Sixty-second Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 4, 2011**

HOUSE BILL NO. 1319
(Representatives Vigesaa, Ruby)
(Senator G. Lee)

AN ACT to amend and reenact section 39-21-45 of the North Dakota Century Code, relating to air-conditioning equipment in motor vehicles; and to declare an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 39-21-45 of the North Dakota Century Code is amended and reenacted as follows:

39-21-45. Air-conditioning equipment.

1. The term "air-conditioning equipment", as used or referred to in this section, means mechanical vapor compression refrigeration equipment which is used to cool the driver's or passenger compartment of any motor vehicle.
2. Air-conditioning equipment must be manufactured, installed, and maintained with due regard for the safety of the occupants of the vehicle and the public and may not contain any refrigerant which is toxic to persons or which is flammable, unless the refrigerant is included in the list published by the United States environmental protection agency as a safe alternative motor vehicle air-conditioning substitute for chlorofluorocarbon-12, pursuant to 42 U.S.C. 7671k(c).
3. The department may adopt and enforce safety requirements, rules, and specifications consistent with the requirements of this section applicable to equipment which must correlate with and, so far as possible, conform to the current recommended practice or standard applicable to air-conditioning equipment approved by the society of automotive engineers.
4. No person may have for sale, offer for sale, sell, or equip any motor vehicle with any air-conditioning equipment unless it complies with the requirements of this section.
5. No person may operate on any highway any motor vehicle equipped with any air-conditioning equipment unless the equipment complies with the requirements of this section.

SECTION 2. EMERGENCY. This Act is declared to be an emergency measure.

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-second Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1319 and that two-thirds of the members-elect of the House of Representatives voted in favor of said law.

Vote: Yeas 88 Nays 4 Absent 2

Speaker of the House

Chief Clerk of the House

This certifies 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

Received by the Governor at _____ M. on _____, 2011.

Approved at _____ M. on _____, 2011.

Governor

Filed in this office this _____ day of _____, 2011,
at _____ o'clock _____ M.

Secretary of State