

February 11, 2013

PROPOSED AMENDMENTS TO SENATE BILL NO. 2317

Page 1, line 1, remove "act"

Page 1, line 1, remove "and a new"

Page 1, line 2, remove "section to chapter 39-18"

Page 1, line 2, remove "and to"

Page 1, line 3, remove "manufactured home dealer licenses and fees"

Page 1, line 3, after "sections" insert "39-18-01,"

Page 1, line 4, after "home" insert "and manufactured home"

Page 2, replace lines 3 through 18 with:

"SECTION 3. AMENDMENT. Section 39-18-01 of the North Dakota Century Code is amended and reenacted as follows:

39-18-01. Mobile home and manufactured home dealer's license - Fees - Dealer's plates - Penalty.

1. ~~No~~ A person, ~~partnership, corporation, or limited liability company~~ may not engage in the business of buying, selling, or exchanging of mobile homes, manufactured homes, or travel trailers, or advertise or hold ~~oneself or~~ itself ~~that person~~ out to the public as being in the business of buying, selling, or exchanging of mobile homes, manufactured homes, or travel trailers without first being licensed ~~to do so as hereinafter provided.~~
2. Application for a dealer's license and renewal license must be made to the department on ~~such forms as the department prescribes and furnishes,~~ and the application must be accompanied by an annual fee of thirty-five dollars for which must be issued one dealer plate. A dealer's license expires on December thirty-first of each year, and application for renewal of a dealer's license must be made on or before the expiration of the current dealer's license.
3. A mobile home or manufactured home dealer's license must be issued only to those who will maintain a permanent office and place of business, and an adequate service department, during the licensing year, and will abide by all the provisions of law pertaining to mobile home or manufactured home dealers.
4. In addition, the dealer shall maintain that person's business records in one central location.
5. Upon the payment of the fee of ten dollars for each additional plate, the department shall register and issue dealer's license plates for use on any mobile or manufactured homes owned by the licensed dealer, and the mobile and manufactured homes bearing the dealer's license plates may be lawfully operated upon the public highways of the state of North Dakota

by the dealer, and the dealer's agents and servants, during the year of the registration. A dealer's license plates expire on December thirty-first of each year.

6. The term "mobile home" as used in this chapter includes and has the same meaning as "house trailer", and both terms have the meaning prescribed in section 39-01-01. The ~~term~~ terms "travel trailer" and "manufactured home" as used in this chapter ~~has~~ have the meaning as prescribed in section 39-01-01.
7. Any mobile home or manufactured home dealer licensed under ~~the provisions of~~ this chapter may sell house cars without being licensed under ~~the provisions of~~ chapter 39-22. A mobile home or manufactured home dealer plate displayed on a house car must be displayed on the rear of the vehicle.
8. Any dealer violating this chapter must be assessed a one hundred dollar fee by the department for a first violation and a two hundred dollar fee by the department for a second violation within two years of the first violation. The department shall suspend the license of a mobile home or manufactured home dealer licensed under this chapter if a third or subsequent violation of this chapter occurs within five years of the first violation."

Page 2, line 22, overstrike "as provided"

Page 2, line 23, overstrike "by law,"

Page 2, line 23, overstrike "such" and insert immediately thereafter "the"

Page 2, line 25, overstrike "the state of North Dakota, which" and insert immediately thereafter "this state. The bond"

Page 2, line 25, overstrike "ten" and insert immediately thereafter "fifty"

Page 2, line 26, overstrike "said" and insert immediately thereafter "the"

Page 2, line 26, overstrike "such" and insert immediately thereafter "the"

Page 2, line 26, overstrike "be" and insert immediately thereafter "is"

Page 2, line 27, overstrike "such" and insert immediately thereafter "the"

Page 2, line 27, overstrike "the state of North Dakota" and insert immediately thereafter "this state"

Page 2, line 28, overstrike "such" and insert immediately thereafter "the"

Page 2, line 28, overstrike "said" and insert immediately thereafter "the"

Page 2, line 30, overstrike "such" and insert immediately thereafter "the"

Page 2, line 31, overstrike "such" and insert immediately thereafter "the"

Page 3, line 1, overstrike "the state of North Dakota, including" and insert immediately thereafter "this state. This includes"

Page 3, line 2, remove "or manufactured home"

Page 3, line 3, overstrike "such" and insert immediately thereafter "a"

Page 3, line 3, remove "or manufactured home"

Page 3, line 4, overstrike the first "such" and insert immediately thereafter "a"

Page 3, line 4, overstrike ", and that such" and insert immediately thereafter ". In addition, this includes furnishing to the vendee of a manufactured home within fifteen days of the sale of a manufactured home an affidavit of affixation that is obtained from the county recorder in the county where the real property is affixed, a letter of confirmation, and a bill of sale that includes a statement as to whether there are any liens or encumbrances on the manufactured home. The"

Page 3, line 5, overstrike "prior to" and insert immediately thereafter "before"

Page 3, line 5, overstrike "herein"

Page 3, line 5, after "for" insert "under this chapter"

Page 3, line 6, overstrike "Provided, however, that the" and insert immediately thereafter "The"

Page 3, line 6, overstrike the first "such"

Page 3, line 6, overstrike the second "such"

Page 3, line 7, overstrike ", in no event," and insert immediately thereafter "not"

Page 3, line 7, overstrike "such" and insert immediately thereafter "the"

Page 3, line 9, overstrike "such proceedings" and insert immediately thereafter "proceeding"

Page 3, line 19, overstrike "the state of North Dakota" and insert immediately thereafter "this state"

Page 3, line 21, overstrike "no" and insert immediately thereafter "an"

Page 3, line 22, after "may" insert "not"

Page 4, line 2, replace "which" with "that"

Page 4, line 4, remove "or manufactured home"

Page 4, line 4, overstrike "which" and insert immediately thereafter "or manufactured home that"

Page 4, line 5, overstrike "such" and insert immediately thereafter "the"

Page 4, line 8, overstrike "No" and insert immediately thereafter "A"

Page 4, line 8, after "may" insert "not"

Page 4, line 11, overstrike "pursuant to" and insert immediately thereafter "under"

Re-number accordingly