

Introduced by

Representatives Kretschmar, Delmore, Klemin, Maragos, Owens, Ruby

Senators Burckhard, J. Lee, Rust, Sinner

1 A BILL for an Act to amend and reenact section 39-06.1-06 of the North Dakota Century Code,  
2 relating to fees for speeding.

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

4 **SECTION 1. AMENDMENT.** Section 39-06.1-06 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **39-06.1-06. Amount of statutory fees.**

7 The fees required for a noncriminal disposition under section 39-06.1-02 or 39-06.1-03 must  
8 be as follows:

- 9 1. For a nonmoving violation as defined in section 39-06.1-08, a fee of twenty dollars  
10 except for a violation of any traffic parking regulation on any state charitable or penal  
11 institution property or on the state capitol grounds, a fee in the amount of five dollars,  
12 excluding a violation of subsection 10 of section 39-01-15.
- 13 2. For a moving violation as defined in section 39-06.1-09, a fee of twenty dollars, except  
14 for:
  - 15 a. A violation of section 39-10-26, 39-10-26.2, 39-10-41, or 39-10-42, a fee of fifty  
16 dollars.
  - 17 b. A violation of section 39-10-05 involving failure to yield to a pedestrian or  
18 subsection 1 of section 39-10-28, a fee of fifty dollars.
  - 19 c. A violation of section 39-21-41.2, a fee of twenty-five dollars.
  - 20 d. A violation of subsection 1 of section 39-12-02 or section 39-08-23, a fee of one  
21 hundred dollars.
  - 22 e. A violation of subdivision d of subsection 1 of section 39-12-04, a fee of one  
23 hundred dollars.

Sixty-fourth  
Legislative Assembly

- 1 f. A violation of subsection 1 of section 39-04-37 by an individual by becoming a  
2 resident of this state, a fee of one hundred dollars.
- 3 g. A violation of subsection 2 of section 39-10-21.1, a fee of two hundred fifty  
4 dollars.
- 5 h. A violation of section 39-10-59, a fee of one hundred dollars.
- 6 i. A violation of section 39-09-01, a fee of thirty dollars.
- 7 j. A violation of section 39-09-01.1, a fee of thirty dollars.
- 8 k. A violation of section 39-10-46 or 39-10-46.1, a fee of one hundred dollars.
- 9 3. For a violation of section 39-21-44 or a rule adopted under that section, a fee of two  
10 hundred fifty dollars.

- 11 4. ~~Except as provided in subsections 7 and 11, for~~For a violation of section 39-09-02, or  
12 an equivalent ordinance, a fee established as follows:

13 Miles per hour over

14 lawful speed limit

Fee

15 1-5

\$ 5

16 6-10

~~\$ 5 plus \$1/each mph over 5 mph over limit~~

17 11-15

~~\$ 10 plus \$1/each mph over 10 mph over limit~~

18 16-20

~~\$ 15 plus \$2/each mph over 15 mph over limit~~

19 21-25

~~\$ 25 plus \$3/each mph over 20 mph over limit~~

20 26-35

~~\$ 40 plus \$3/each mph over 25 mph over limit~~

21 36-45

~~\$ 70 plus \$3/each mph over 35 mph over limit~~

22 46+ ~~\$100 plus \$5/each mph over 45 mph over limit~~of three dollars for each mile an

23 hour over the limit.

- 24 5. ~~On a highway on which the speed limit is a speed higher than fifty five miles-~~  
25 ~~[88.51 kilometers] an hour, for a violation of section 39-09-02, or an equivalent-~~  
26 ~~ordinance, a fee established as follows:~~

27 Miles per hour over

28 lawful speed limit

Fee

29 1-10

\$2/each mph over limit

30 11+

\$20 plus \$5/each mph over 10 mph over limit

- 31 6. For a violation of subsection 3 of section 39-21-46, a fee established as follows:

- 1           a.   Driving more than eleven hours since the last ten hours off duty, driving after  
2           fourteen hours on duty since the last ten hours off duty, driving after sixty hours  
3           on duty in seven days or seventy hours in eight days, no record of duty status or  
4           log book in possession, failing to retain previous seven-day record of duty status  
5           or log book, or operating a vehicle with four to six out-of-service defects, one  
6           hundred dollars;
- 7           b.   False record of duty status or log book or operating a vehicle with seven to nine  
8           out-of-service defects, two hundred fifty dollars;
- 9           c.   Operating a vehicle after driver placed out of service, operating a vehicle with ten  
10          or more out-of-service defects, or operating a vehicle that has been placed out of  
11          service prior to its repair, five hundred dollars; and
- 12          d.   All other violations of motor carrier safety rules adopted under subsection 3 of  
13          section 39-21-46, fifty dollars.
- 14    ~~7.6.   On a highway on which the speed limit is posted in excess of sixty five miles-~~  
15    ~~[104.61 kilometers] an hour, for a violation of section 39-09-02, or equivalent-~~  
16    ~~ordinance, a fee of five dollars for each mile per hour over the limit.~~
- 17    8.—For a violation of a school zone speed limit under subdivision b of subsection 1 of  
18    section 39-09-02, a fee of ~~fortyeighty~~ eighty dollars for one through ten miles ~~per~~ per hour over  
19    the posted speed; and ~~fortyeighty~~ eighty dollars, plus ~~one~~ two dollar for each additional mile  
20    ~~per~~ per hour over ten miles per hour over the limit unless a greater fee would be  
21    applicable under this section.
- 22    ~~9.7.   For a violation of a highway construction zone speed limit under subsection 2 of~~  
23    ~~section 39-09-02, a fee of eighty dollars for one through ten miles per~~ per hour over the  
24    ~~posted speed; and eighty dollars plus two dollars for each mile per~~ per hour over ten  
25    ~~miles per hour over the limit, unless a greater fee would be applicable under this~~  
26    ~~section. The fee in this subsection does not apply to a highway construction zone~~  
27    ~~unless individuals engaged in construction are present at the time and place of the~~  
28    ~~violation and the posted speed limit sign states "Minimum Fee \$80".~~