

Sixty-seventh
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1368

Introduced by

Representatives O'Brien, Westlund

Senators Kreun, Patten

1 A BILL for an Act to create and enact section 51-07-28.1 of the North Dakota Century Code,
2 relating to tracking devices on motor vehicles; and to provide a penalty.

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

4 **SECTION 1.** Section 51-07-28.1 of the North Dakota Century Code is created and enacted
5 as follows:

6 **51-07-28.1. Tracking devices on motor vehicles - Disclosure - Removal - Penalty.**

7 1. As used in this section:

8 a. "Dealer" means a person licensed under chapter 39-22 to engage in the business
9 of buying, selling, leasing, or trading new or used motor vehicles.

10 b. "Dealership" means the location from which a dealer buys, sells, leases, trades,
11 stores, or in any other manner deals in new or used motor vehicles.

12 2. After the sale of a motor vehicle, a dealer may not install or place a global tracking or
13 positioning system or device on the vehicle for the purpose of locating or tracking the
14 vehicle to repossess the vehicle in case of loan default, unless:

15 a. The dealer includes within the purchase contract, in a clear and conspicuous
16 manner, information on the installation or placement of the system or device;

17 b. The system or device is installed at no cost to the buyer; and

18 c. The system or device is removed within sixty days of the loan for the motor
19 vehicle being paid in full at:

20 (1) The dealer's dealership at no expense to the buyer; or

21 (2) The expense of the dealer at a location agreed upon by the dealer and
22 buyer.

- 1 3. A dealer that violates this section is subject to a fine of not more five hundred dollars.
- 2 In the case of a second or subsequent violation of this section, the dealer is subject to
- 3 a fine of not less than one thousand dollars nor more than two thousand dollars.