

Introduced by

Transportation Committee

(At the request of the Department of Transportation)

1 A BILL for an Act to create and enact a new subsection to section 39-06.2-10.6 and new
2 subsection to section 39-20-05 of the North Dakota Century Code, relating to conducting
3 department of transportation administrative hearings by electronic means; and to amend and
4 reenact subsection 2 of section 39-06-33 of the North Dakota Century Code, relating to
5 conducting department of transportation administrative hearings by electronic means:

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

7 **SECTION 1. AMENDMENT.** Subsection 2 of section 39-06-33 of the North Dakota Century
8 Code is amended and reenacted as follows:

9 2. Any hearing conducted under this section and any appeal from the decision of the
10 hearing must be conducted under chapter 28-32, except the hearing must be heard
11 within sixty days of the receipt of the request for hearing and in the county of the
12 licensee's residence, unless the parties agree to a different time and place for the
13 hearing. A hearing under this section may be conducted by telephone, television,
14 virtual online interface, or other electronic means at the discretion of the ~~hearing-~~
15 ~~officer~~licensee. At the hearing, the regularly kept records of the director may be
16 introduced and are prima facie evidence of their content without further foundation.

17 **SECTION 2.** A new subsection to section 39-06.2-10.6 of the North Dakota Century Code is
18 created and enacted as follows:

19 A hearing under this section may be conducted in whole or in part by telephone,
20 television, virtual online interface, or other electronic means at the discretion of the
21 ~~hearing officer~~licensee. A hearing officer may provide a notice, decision, or order
22 under this section by mail or other means as authorized by the director.

23 **SECTION 3.** A new subsection to section 39-20-05 of the North Dakota Century Code is
24 created and enacted as follows:

1 A hearing under this section may be conducted in whole or in part by telephone,
2 television, virtual online interface, or other electronic means at the discretion of the
3 ~~hearing officer~~licensee. A hearing officer may provide a notice, decision, or order
4 under this section by mail or other means as authorized by the director.