

HOUSE BILL NO. 1176

Introduced by

Representatives Roers Jones, Becker, Heinert, Ista, Jones, Klemin, Mock

Senators Bakke, Bekkedahl, Davison

1 A BILL for an Act to amend and reenact section 39-06-01.1 of the North Dakota Century Code,
2 relating to cancellation of a minor's driver's license.

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

4 **SECTION 1. AMENDMENT.** Section 39-06-01.1 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **39-06-01.1. Special provisions for minor operators.**

- 7 1. The director shall cancel the operator's license of an individual who has committed
8 acts resulting in an accumulated point total in excess of five points as provided for a
9 violation under section 39-06.1-10 ~~or has committed an alcohol-related offense or a~~
10 ~~drug-related offense while operating a motor vehicle, if a violation under section~~
11 39-08-01 or 39-20-03.1, and:
- 12 a. The acts or offenses were committed while the individual was a minor; and
13 b. The individual admitted the violation, was found to have committed the violation
14 by the official having jurisdiction, or pled guilty to, was found guilty of, or
15 adjudicated to have committed the offense.
- 16 2. The director shall cancel the operator's license of an individual who has committed an
17 alcohol-related offense or a drug-related offense other than a violation under section
18 39-08-01 or 39-20-03.1 while operating a motor vehicle if:
- 19 a. The offense was committed while the individual was a minor;
20 b. The individual was found to have committed the offense by the official having
21 jurisdiction, or pled guilty to, was found guilty of, or adjudicated to have
22 committed the offense;
23 c. The offense created an imminent risk of injury to another individual;

- 1 d. A lesser penalty would be ineffective to prevent future risk to another individual;
2 and
3 e. The official having jurisdiction orders the director to cancel the operator's license.
4 3. If an individual has had that individual's license to operate a motor vehicle canceled
5 under subsection 1 or 2, the director shall deem that individual to have never have had
6 any license to operate a motor vehicle and may not issue any license to operate a
7 motor vehicle other than an instruction permit or a restricted instruction permit after the
8 completion of any period of suspension or revocation. After the issuance of an
9 instruction permit or restricted instruction permit, the director may not issue any other
10 operator's license to that individual until that individual:
11 a. Meets the requirements of section 39-06-17. The driver education requirement
12 may be met through either an internet course or successfully completing a course
13 at an approved commercial driver training school meeting the requirements of
14 chapter 39-25; and
15 b. Satisfies all other requirements that apply to that individual for that operator's
16 license.

March 11, 2021

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1176

Page 1, line 9, remove the overstrike over "~~or has committed~~"

Page 1, line 10, overstrike "if" and insert immediately thereafter "a violation under section 39-08-01 or 39-20-03.1, and"

Page 1, line 16, after the second "offense" insert "other than a violation under section 39-08-01 or 39-20-03.1"

Renumber accordingly