

Sixty-ninth  
Legislative Assembly  
of North Dakota

**HOUSE BILL NO. 1243**

Introduced by

Representatives D. Ruby, Kasper, Koppelman, Marschall, Tveit, Weisz

Senators Magrum, Paulson, Weston, Wobbema

- 1 A BILL for an Act to create and enact a new section to chapter 26.1-40 of the North Dakota  
2 Century Code, relating to automobile ownership following damage resulting in a total loss.

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

- 4 **SECTION 1.** A new section to chapter 26.1-40 of the North Dakota Century Code is created  
5 and enacted as follows:

6 **Automobile ownership - Total loss.**

- 7 1. If an insurer determines an automobile with physical damage coverage incurred a total  
8 loss, or constructive total loss, the insured may retain ownership of the automobile or  
9 allow the insurer to take ownership.  
10 2. An insurer may not require an insured to pay, out of the insurance payment or  
11 otherwise, for the return of an automobile following a determination of total loss.