

**TESTIMONY OF REP. LAWRENCE R. KLEMIN**  
**SENATE JUDICIARY COMMITTEE**  
**HOUSE BILL NO. 1364**  
**MARCH 26, 2025**

Members of the Senate Judiciary Committee. I am Lawrence R. Klemin, Representative for District 47 in Bismarck. I am here to testify in support of House Bill 1364, relating to the removal of a conviction and the sealing of the driving record of a defendant who successfully completes drug court. I introduced this bill at the request of the State's Attorneys Association.

Section 39-08-01, which is referred to in the current law, provides a penalty if a person is convicted of driving under the influence of intoxicating liquor or other drugs or substances. Section 39-08-01.5(3) in this bill requires the court to dismiss the conviction upon the successful completion of drug court or other treatment court. The court is also required to seal the file. The amendment in this bill then requires the court to issue an order to remove the conviction from the driving record of the defendant. There is an exception required by federal law if the defendant had a commercial driver's license (CDL). A copy of the federal regulation on this subject was attached to the testimony of Roza Larson previously presented at the hearing in the House Judiciary Committee on January 27 and uploaded to the record for this bill.

I understand that there is a proposed amendment to this bill that will be presented to the Committee this morning. The State's Attorneys Association is aware of the amendment and has no objection to it. There will be other testimony following me on this subject.

Madame Chair and members of the committee, I urge you to recommend "do pass" on HB 1364. Thank you.

Rep. Lawrence R. Klemin  
District 47, Bismarck