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## JUDICIAL PROCEDURE, CIVIL

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### CHAPTER 204

S. B. No. 148  
(Rue)

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#### SERVICE OF PROCESS ON NON-RESIDENT MOTOR VEHICLE USERS

##### AN ACT

To amend and reenact section 28-0611 of the 1951 Session Laws of the State of North Dakota, relating to service of process on resident and non-resident motor vehicle users.

*Be It Enacted by the Legislative Assembly of the State of North Dakota:*

§ 1. AMENDMENT.) Section 28-0611 of the 1951 session laws of the State of North Dakota is hereby amended and reenacted to read as follows:

28-0611. NON-RESIDENT MOTOR VEHICLE USER; SERVICE UPON.) The use and operation by a resident of this state or his agent, or by a non-resident or his agent, of a motor vehicle upon or over the highways of this state shall be deemed an appointment by such resident when he has been absent from this state continuously for six months or more following an accident or by such non-resident at any time, of the highway commissioner of this state to be his true and lawful attorney upon whom may be served all legal process in any action or proceeding against him growing out of the use or operation of the motor vehicle resulting in damages or loss to person or property, whether the damage or loss occurs upon a public highway or upon public or private property, and such use or operation shall constitute an agreement that any such process in any action against him which is so served shall have the same legal force and effect as if served upon him personally. Service of the summons in such case may be made by delivering a copy thereof to the highway commissioner together with a fee of two dollars.

Approved March 12, 1953.