

2025 HOUSE TRANSPORTATION

HB 1298

2025 HOUSE STANDING COMMITTEE MINUTES

Transportation Committee Room JW327E, State Capitol

HB 1298
1/23/2025

Relating to speed limitations on multilane highways; and to provide a penalty.
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2:02 p.m. Chairman D. Ruby opened the hearing.

Members Present: Chairman D. Ruby, Vice Chairman Grueneich, Representatives Christianson, Dressler, Finley-DeVille, Frelich, Johnston, Kasper, Koppelman, Maki, Morton, Osowski, Schatz
Members Absent: Representative Hendrix

Discussion Topics:

- North Dakota interstates
- Improvements needed for speed increase
- Prevailing speed vs speed limit
- 85% rule for highway speeds

2:03 p.m. Representative Koppelman, District 16, ND Legislative Assembly, introduced HB 1298 and provided testimony #31089 and #31090.

2:15 p.m. Jeff Simon, Executive Director, West Dakota Energy, testified in favor.

2:17 p.m. Chairman D. Ruby closed the hearing.

2:18 p.m. Representative Schatz moved a Do Pass.

2:18 p.m. Representative Johnston seconded the motion.

Representatives	Vote
Representative Dan Ruby	Y
Representative Jim Grueneich	Y
Representative Nels Christianson	Y
Representative Ty Dressler	Y
Representative Lisa Finley-DeVille	Y
Representative Kathy Frelich	Y
Representative Jared Hendrix	AB
Representative Daniel Johnston	Y
Representative Jim Kasper	Y
Representative Ben Koppelman	Y
Representative Roger A. Maki	Y
Representative Desiree Morton	Y
Representative Doug Osowski	Y
Representative Mike Schatz	Y

2:19 p.m. Motion passed 13-0-1.

2:19 p.m. Representative Koppelman will carry the bill.

Additional written testimony:

Kelly Boone, American Property Casualty Insurance Association, submitted testimony in opposition #30758.

Catherine Chase, President, Advocates for Highway and Auto Safety, submitted testimony in opposition #30832.

Andrew Bornemann, business owner, submitted testimony in favor #30892.

2:20 p.m. Chairman D. Ruby closed the meeting.

Janae Pinks, Committee Clerk

REPORT OF STANDING COMMITTEE
HB 1298 ([25.0496.01000](#))

Transportation Committee (Rep. D. Ruby, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1298 was placed on the Eleventh order on the calendar.

HB 1298**Rep. Ben Koppelman- Testimony**

Mr. Chairman and Members of the Committee, thank you for the opportunity to introduce HB 1298. HB 1298 will raise the speed limit on interstates from 75 to 80 MPH, while still allowing the cities located along these corridors to work with DOT to control the speed of the sections of these highways where they pass through city limits. This increase in speed will be a phased in approach that will allow DOT to initially increase speeds in all the areas that can easily handle the speed, and work toward upgrading other areas that can handle the speed with minor improvements. The remaining areas of interstate will be phased in over time as roads are improved. The intent of the bill is to not interfere with DOT's ability to reduce speed in areas of highly dangerous highway, such as the scenic section of I-94 near Medora, on a case-by-case basis if there is not a reasonable way to make it safe at the full speed limit.

Six of our neighboring states already have interstate speeds of 80 MPH, and they are all contiguous to each other as they are to us. These states are SD, MT, WY, ID, UT, NV and OK. Texas has highways at 80 MPH and even some at 85 MPH. The irony here is that we probably have the highways with the least number of curves and hills.

Some would say that the prevailing speed limit is already 80 to 82 MPH on the interstates, and that if we increase the speed limit from 75 to 80 MPH that everyone would automatically drive in excess of 85 MPH. I disagree with that

assessment. Although that is a possibility, people tend to drive at a speed that they are comfortable driving at, and many would not be comfortable driving 85 MPH or more. In addition, law enforcement could reduce how many miles over the speed limit they would allow before ticketing. Studies have shown that as speed limits increase, drivers do not necessarily increase their speed by the same amount. For example, back when interstate speed limits were 55 MPH, it was not uncommon to have drivers going 10-15 miles over the limit, whereas now 5 MPH over is more common.

Over the past few sessions, some have criticized this proposal by saying, 'Everyone is already driving 5 MPH over the speed limit on these highways, why should we raise the limit? Is it that you want to drive 85 on the interstate?' To those questions I respond with this: As members of the Legislative branch, it is our responsibility to set policy, and it is the responsibility of the executive branch to decide how to execute that policy. Now, I am not here to criticize the Highway Patrol or other law enforcement, but rather to recognize the separation of powers in our government. Therefore, it is my contention that since it appears that the roads continue to be safe with a prevailing speed of 5 MPH over the limit now that we should raise the limits to that point, and let the administrative branch decide if there should be any grace to those limits based on safety and other factors.

The Federal Highway Administration, the National Cooperative Highway Research Program, and the Institute of Transportation Engineers all recommend using the 85% rule to determine speed limits. That rule states that if more than 85% of the

regular traffic drives above the **Posted Speed Limit**, then steps should be taken to raise the limit. In my experience, the prevailing speed on these highways is about 5 MPH over the respective limits. Why does the 85% rule work? Raising the limit causes slower traffic to move up to the prevailing speed and brings a more uniform traffic flow.

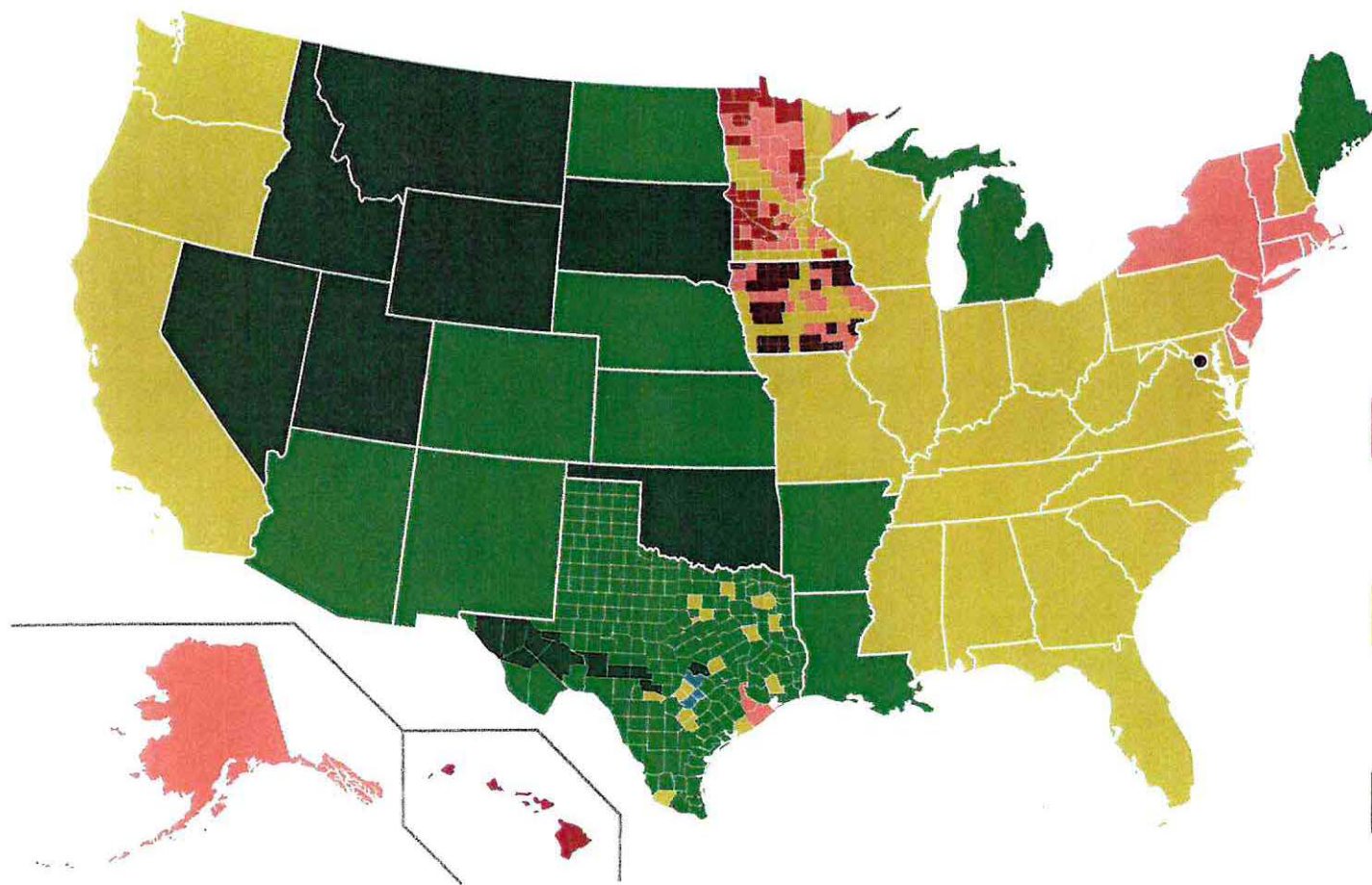
A study in Utah following their increase to 80 MPH found a 20% reduction in the number of people driving more than 80 MPH. The study showed that in some places the average speed increased by 2 MPH and in another area it went down 2 MPH. The overall effect was no change in the average speed. Last Session in the House Transportation committee, we heard testimony to a similar effect relating to the experience of our sister State, South Dakota. In fact, that testifier indicated current support upwards of 80% for their 80 MPH speed limit which is up significantly from when they initially raised the limit. The bottom line is **People drive the speed that they feel safe and comfortable at, not the speed limit.**

This bill passed the legislature during the 2023 session but was vetoed by the governor because House leadership would not heed his demand over a seatbelt bill. Over the past few bienniums, have seen many safety improvements on our interstates that make this possible, and those improvements continue. One example that you may have noticed is the cable railings in the center medians across the state. Last session, there was no fiscal note for this bill, and as of this morning, there was not one this session. This is likely because DOT would simply replace the speed limit signs (many of which have aged) within their budgetary resources.

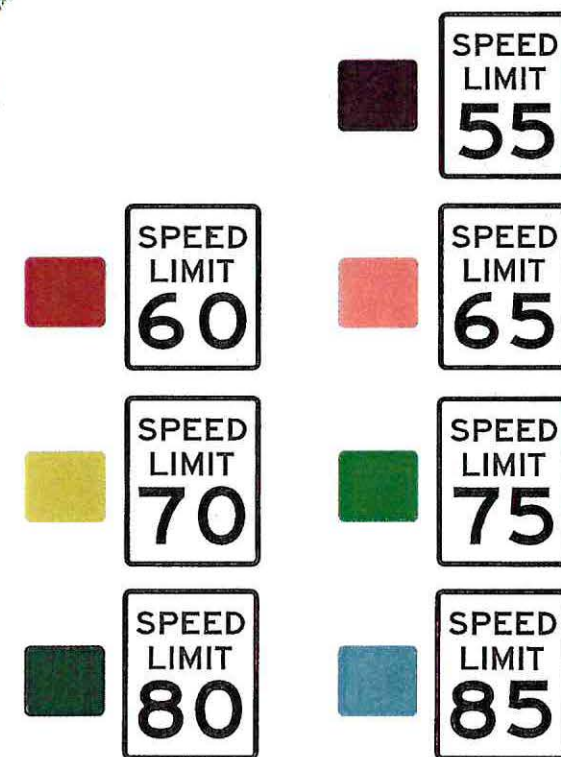
In past sessions, there has been discussion about adding a minimum speed limit, but this idea was dismissed last session by the House committee as it raises the costs substantially, and has historically been opposed by farmers and the AG community. There has also been some discussion of trying to add speeding fine increases to this bill, and although I am supportive of efforts to increase penalties for those that are driving 20 MPH over the speed limit or driving in a reckless and out-of-control manner, I would ask that you pass this bill out of committee in its current form.

Now, some of you may recall that the subject of this bill was very important to former Speaker Wes Belter as well as the late Senator Lonny Laffen when they served in the legislature, and I believe that this bill will honor their legacy if it passes.

Mr. Chairman and members of the committee, although some would say it is minor, this bill will save our citizens time and money. It will not result in a substantial increase in our prevailing speed and it is not likely to change our traffic accident statistics related to speed in a negative way. It does have the potential of reducing the number of traffic stops each year which would reduce the safety risk to our law enforcement. I respectfully request a DO-PASS recommendation from the committee. Thank You for your time, and I would be happy to try and answer your questions.



Maximum Speed Limits
in the United States

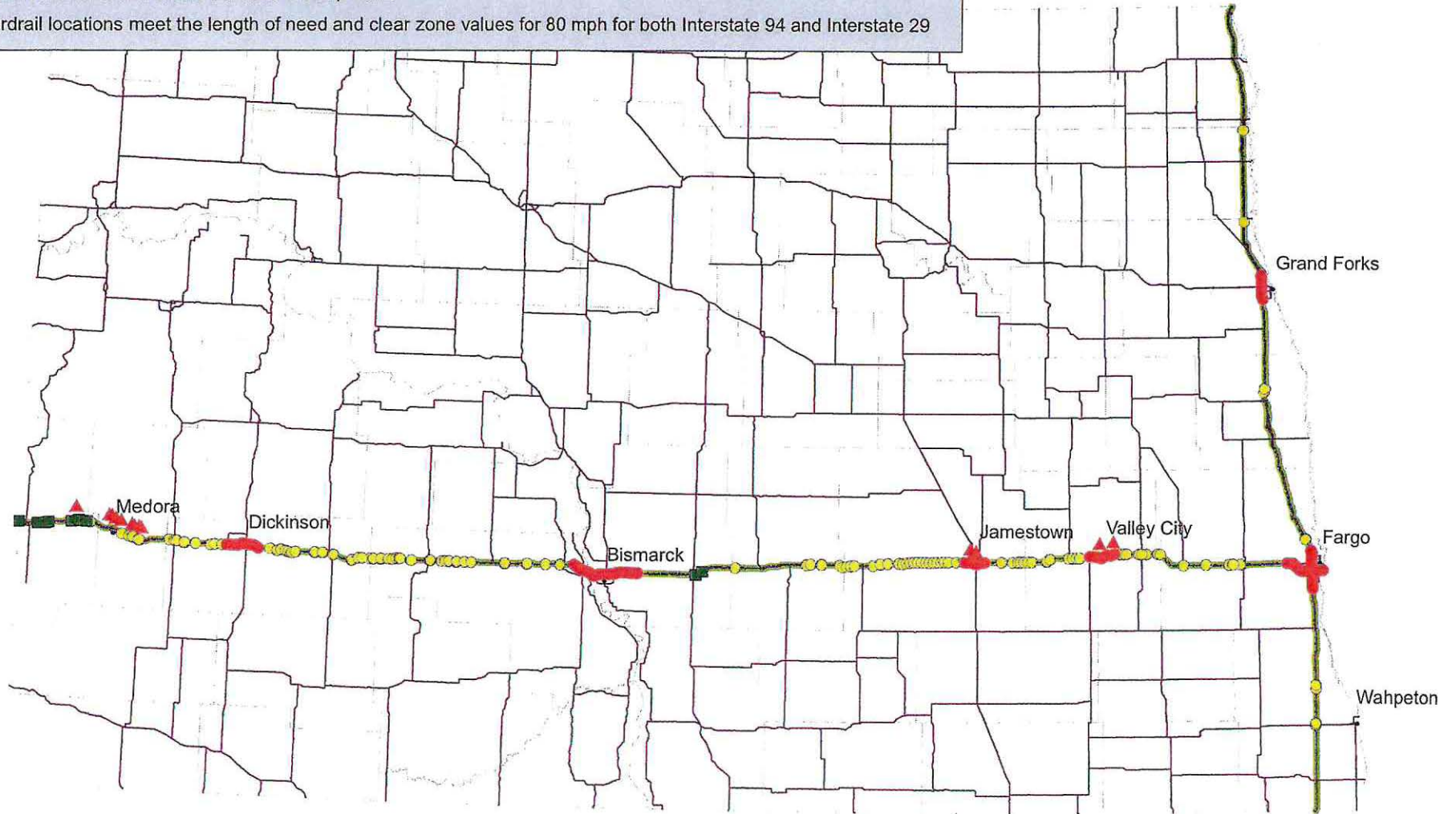


Curves Not Meeting Current AASHTO Design Standards for 80 mph Reconstruction

- 24 vertical curves that will be updated in the next few years with programmed reconstruction projects
- 320 vertical curves that do not fall within the limits of programmed reconstruction projects
- ▲ 21 horizontal curves

Speed reduced in urban areas due to increase in ramp traffic

Note: Nearly all guardrail locations meet the length of need and clear zone values for 80 mph for both Interstate 94 and Interstate 29

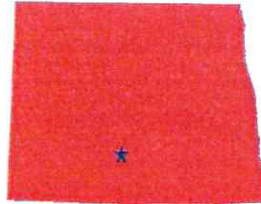


KOPPELman
1248

IMPORTANT: The link above (<https://cdan.dot.gov/SASJobExecution/>) is a generic link and cannot be bookmarked

Traffic Safety Facts: North Dakota 2018-2022

Data Source: FARS 2018 - 2021 Final and FARS 2022 ARF



Select a Table

North Dakota

Select a County

NHTSA Highway Safety Funding

Economic Impact of Motor Vehicle Crashes

Home Printer Friendly

Important: All tables below can be downloaded in Excel (see below table).

Download may take a few seconds - Use Ctrl-J to view download progress.

Traffic Safety Performance (Core Outcome) Measures* For North Dakota

Core Outcome Measures		Crash Year											
		2013	2014	2015	2016	2017	2018	2019	2020	2021	2022		
Traffic Fatalities	Total (C-1)	148	135	131	113	116	105	100	100	101	98		
	Rural	138	116	122	106	103	91	84	76	77	82		
	Urban	10	19	9	7	10	14	16	24	24	16		
	Unknown	0	0	0	0	3	0	0	0	0	0		
Fatalities Per 100 Million Vehicle Miles Driven	Total (C-3)	1.47	1.28	1.31	1.16	1.19	1.07	1.02	1.14	1.09	1.07		
	Rural	1.84	1.47	1.67	1.55	1.52	1.32	1.22	1.29	1.22	1.30		
	Urban	0.39	0.72	0.33	0.24	0.34	0.47	0.54	0.83	0.81	0.55		
	Unknown	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		
Passenger Vehicle Occupant Fatalities (All Seat Positions)	Total	112	105	100	77	80	76	69	61	68	56		
	Restrainted	28	29	29	21	28	29	24	17	30	12		
	Unrestrained (C-4)	66	71	63	48	42	37	33	38	31	39		
	Unknown	18	5	8	8	10	10	12	6	7	5		
Alcohol-Impaired Driving Fatalities (BAC=.08+)** (C-5)		61	55	51	52	45	28	42	36	34	34		
Speeding-Related Fatalities (C-6)		59	50	43	25	28	41	25	24	29	27		
Motorcyclist Fatalities	Total (C-7)	9	10	8	12	13	16	11	17	8	21		
	Helmeted	5	1	5	2	3	5	4	3	3	7		
	Unhelmeted (C-8)	3	9	3	10	10	11	7	14	5	14		
	Unknown	1	0	0	0	0	0	0	0	0	0		
Drivers Involved in Fatal Crashes	Total	213	176	166	138	147	144	126	135	138	152		
	Aged Under 15	1	2	2	0	0	1	1	2	0	0		
	Aged 15-20	20	21	14	15	15	8	9	11	22	16		
	Aged Under 21 (C-9)	21	23	16	15	15	9	10	13	22	16		
	Aged 21 and Over	192	152	150	123	131	135	116	122	114	136		
	Unknown Age	0	1	0	0	1	0	0	0	2	0		
Pedestrian Fatalities (C-10)		1	9	7	7	5	6	5	8	10	6		
Bicyclist and Other Cyclist Fatalities**** (C-11)		1	3	1	3	2	2	2	1	1	1		
Observed Seat Belt Use*** (B-1)		77.7	81.0	80.4	82.8	79.3	82.5	83.7	83.7	81.9	80.6		

Download Complete Table (Excel)

Download 3 Year moving average (Excel)

Download 5 Year moving average (Excel)

*These Performance Measures Were Developed By The National Highway Traffic Safety Administration (NHTSA) and the Governors Highway Safety Association (GHSA) (See Publication: DOT HS 811 025)

Based on the BAC of All Involved Drivers and Motorcycle Riders (Operators) Only *North Dakota Data: State Survey

****On March 11th, 2014 GHSA and NHTSA agreed on bike fatalities as a newly required performance core measure

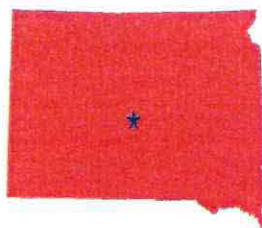
The Traffic Safety Performance measures outlined above use data definitions established by NHTSA's National Center for Statistics and Analysis (NCSA).

These data definitions are documented in the FARS Analytical User's Manual (AUM), Appendix D: Additional Data Element Information.

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		2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	
Traffic Fatalities	Total (C-1)	135	136	134	116	129	130	102	141	148	137	
	Rural	118	115	114	103	109	117	84	109	121	109	
	Urban	17	21	20	13	20	13	18	32	27	28	
	Unknown	0	0	0	0	0	0	0	0	0	0	
Fatalities Per 100 Million Vehicle Miles Driven	Total (C-3)	1.48	1.47	1.44	1.22	1.34	1.34	1.03	1.45	1.48	1.35	
	Rural	1.84	1.79	1.75	1.55	1.61	1.72	1.21	1.59	1.71	1.53	
	Urban	0.63	0.75	0.71	0.45	0.69	0.44	0.60	1.10	0.93	0.92	
	Unknown	0	0	0	0	0	0	0	0	0	0	
Passenger Vehicle Occupant Fatalities (All Seat Positions)	Total	100	102	94	81	93	94	72	91	105	92	
	Restrainted	32	29	27	20	24	29	31	28	31	33	
	Unrestrained (C-4)	61	69	60	58	64	59	38	57	65	49	
	Unknown	7	4	7	3	5	6	3	6	9	10	
Alcohol-Impaired Driving Fatalities (BAC=.08+)** (C-5)		41	44	44	46	36	46	28	50	50	44	
Speeding-Related Fatalities (C-6)		38	30	31	37	31	52	24	42	35	47	
Motorcyclist Fatalities	Total (C-7)	22	17	31	22	16	16	14	27	22	13	
	Helmeted	7	5	9	6	6	4	6	5	5	5	
	Unhelmeted (C-8)	15	11	22	15	10	11	6	20	17	7	
	Unknown	0	1	0	1	0	1	2	2	0	1	
Drivers Involved in Fatal Crashes	Total	182	179	168	138	158	148	132	189	179	189	
	Aged Under 15	1	3	2	2	1	0	1	1	0	2	
	Aged 15-20	15	20	12	18	9	17	14	19	18	20	
	Aged Under 21 (C-9)	16	23	14	20	10	17	15	20	18	22	
	Aged 21 and Over	165	155	154	118	148	130	117	168	160	165	
	Unknown Age	1	1	0	0	0	1	0	1	1	2	
Pedestrian Fatalities (C-10)		9	9	6	6	10	10	7	14	14	11	
Bicyclist and Other Cyclist Fatalities**** (C-11)		0	2	1	0	0	0	1	0	0	3	
Observed Seat Belt Use*** (B-1)		68.7	68.9	73.6	74.2	74.8	78.9	75.2	68.3	86.9	88.1	

[Download Complete Table \(Excel\)](#)

[Download 3 Year moving average \(Excel\)](#)

[Download 5 Year moving average \(Excel\)](#)

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Based on the BAC of All Involved Drivers and Motorcycle Riders (Operators) Only *South Dakota Data: State Survey

****On March 11th, 2014 GHSA and NHTSA agreed on bike fatalities as a newly required performance core measure
The Traffic Safety Performance measures outlined above use data definitions established by NHTSA's National Center for Statistics and Analysis (NCSA).
These data definitions are documented in the FARS Analytical User's Manual (AUM), Appendix D: Additional Data Element Information.



January 21, 2025

RE: OPPOSE, [HB1298](#) Speed Limit Increase

APCIA is the primary national trade association for home, auto, and business insurers. Our mission is to promote and protect the viability of private competition for the benefit of consumers and insurers, with a legacy dating back 150 years. On behalf of over 1200 APCIA member companies, who together write nearly 60 percent of the auto insurance written in the US.

In North Dakota, APCIA's members write more than \$9.1 billion in property and casualty insurance premiums. We respectfully submit the following comments in opposition to **HB1298**.

While the intention behind this bill may be to enhance travel efficiency, APCIA believes that raising the speed limit poses several serious safety concerns.

Research indicates that higher speed limits lead to an increase in traffic accidents and fatalities. When vehicles are traveling at higher speeds, the potential for catastrophic collisions rises significantly. The difference of just 5 miles per hour can mean the difference between a survivable accident and a tragic outcome. In a state where inclement weather conditions can dramatically affect road safety, it is crucial to prioritize the well-being of all drivers and passengers.

Moreover, increasing the speed limit can place additional strain on our emergency response services. Higher speeds result in more severe accidents, which could overwhelm our first responders and hospitals, particularly in rural areas where resources may already be limited. A higher speed limit could thus inadvertently compromise the safety of our communities.

As premiums are often influenced by accident rates and the severity of crashes, even a small increase in the speed limit could lead to higher claims and costs for insurers. In turn, this may be reflected in rising premiums for North Dakota drivers, creating an additional financial burden. APCIA urges legislators to focus on promoting road safety and reducing accidents, not on increasing speed without consideration of the consequences. APCIA urges the committee to **VOTE NO on HB1298** and to reconsider the implications of this bill.

Respectfully,

Brooke Kelley

A handwritten signature in cursive script that reads "Brooke Kelley".



Assistant Vice President, State Government Relations
American Property Casualty Insurance Association



January 22, 2025

The Honorable Dan Ruby, Chairman
 The Honorable Jim Grueneich, Vice Chairman
 House Transportation Committee
 North Dakota Legislative Assembly
 600 East Boulevard Avenue
 Bismarck, North Dakota 58505-0360

Dear Chairman Ruby and Vice Chairman Grueneich:

Advocates for Highway and Auto Safety (Advocates), an alliance of consumer, safety, medical, public health and law enforcement groups and insurance companies working together to pass highway and auto safety laws that prevent crashes, save lives, reduce injuries, and contain costs, urges you to oppose House Bill (HB) 1298. This legislation will permit an increase in speed limits to 80 miles per hour (mph) on access-controlled, paved and divided, multilane interstate highways across North Dakota, endangering state residents as well as visitors.

In 2022, 29 percent of all traffic fatalities in the U.S were speeding related.ⁱ In 2023 an estimated 106 people died in traffic crash crashes in North Dakota.ⁱⁱ Speeding is a major factor leading to traffic fatalities, contributing to 28 percent of traffic fatalities in the state in 2022.ⁱⁱⁱ Excess speed contributes to both the frequency and severity of motor vehicle crashes and proves especially dangerous for vulnerable road users such as motorcycle riders, work zone workers and roadside first responders who lack the protective structure of a vehicle.

Speeding reduces a driver's ability to react to emergencies created by driver inattention, unsafe maneuvers of other vehicles, roadway hazards, vehicle issues (such as tire blowouts) or hazardous weather conditions. Higher speeds will result in more preventable fatalities as well as serious and expensive injuries. Traffic crashes are not only devastating to individuals and families, but they are also costly. In 2019, the economic cost of motor vehicle crashes in North Dakota totaled \$735 million or \$965 per resident.^{iv} If these costs were updated for inflation alone, in 2024 they would equate to \$922 million and \$1,210 respectively.^v During the same year, crashes in which at least one driver was speeding cost our nation more than \$46 billion.^{vi} In 2024 dollars that would be \$58 billion.^{vii}

Research and statistics consistently and convincingly show speeding is a major safety problem and raising speed limits increases traffic fatalities. Even seemingly modest speed limit changes can have huge impacts on overall traffic safety. Crash tests conducted in 2019 showed that five to 10 mph increases in speed can have a severe impact on a driver's risk of injury or even death.^{viii} According to the Insurance Institute for Highway Safety (IIHS), "Raising speed limits leads to more deaths. People often drive faster than the speed limit, and if the limit is raised, they will go faster still. Research shows that when speed limits are raised, speeds go up, as do fatal crashes."^{ix} A study found that from 1993-2017, a five-mph increase in state speed limits led to 37,000 more traffic deaths.^x Conversely lower speeds save lives. A 2022 study of speed limit reductions in Seattle, WA, found a five-mph decrease in the speed limit was associated with a 17 percent reduction in downtown crashes involving a police-reported injury.^{xi} Similarly, on high-capacity urban roads that are not expressways, Seattle experienced a 20 percent decline in crashes resulting in a police-reported injury.^{xii}

Advancing HB 1298 will cause more death and destruction on North Dakota roads. We urge you to reject this legislation and prioritize the safety of North Dakotan families.

Sincerely,

Catherine Chase
 President

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- i NHTSA. (2024). Overview of Motor Vehicle Crashes in 2022. U.S. Department of Transportation, available at <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813560>.
- ii Traffic Safety Facts: Crash Stats, Early Estimate of Motor Vehicle Traffic Fatalities in 2023, NHTSA, April 2024, DOT HS 813 561, available at <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813561>.
- iii State Traffic Safety Information for North Dakota (2022), NHTSA, available at <https://cdan.dot.gov/STSI/stsi.htm>.
- iv The Economic and Societal Impact of Motor Vehicle Crashes, 2019, NHTSA, December 2022, DOT HS 813 403, available at <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813403>.
- v CPI Inflation Calculator, BLS, Jan. 2019 to Jan. 2024, available at <https://data.bls.gov/cgi-bin/cpicalc.pl>.
- vi The Economic and Societal Impact of Motor Vehicle Crashes, 2019, NHTSA, December 2022, DOT HS 813 403, available at <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813403>.
- vii CPI Inflation Calculator, BLS, Jan. 2019 to Jan. 2024, available at <https://data.bls.gov/cgi-bin/cpicalc.pl>.
- viii Impact of Speeds on Drivers and Vehicles – Results from Crash Tests, AAA Foundation for Safety, Humanetics, and IIHS, Jan. 2021, available at <https://www.iihs.org/api/datastoredocument/bibliography/2218>
- ix “Speed.” Topic Overview. IIHS, available [here](#).
- x Farmer, Charles M., The effects of higher speed limits on traffic fatalities in the United States, 1993–2017, IIHS, April 2019; available at <https://www.iihs.org/api/datastoredocument/bibliography/2188>.
- xi Effects of Lowering Speed Limits On Crash Severity in Seattle, Mar. 2023, IIHS, available at <https://www.iihs.org/api/datastoredocument/bibliography/2279>.
- xii Ibid.

HB 1298
Testimony in favor.

Mr. Chairman and members of the House Transportation Committee.

I am writing to you to respectfully request a Do Pass recommendation from this committee on House Bill 1298.

As a farmer and small business owner living near I94, I frequently find myself traveling either to Bismarck, Jamestown, or Fargo on I94. Raising the speed limit on access controlled highways to 80 miles per hour would cut a few minutes off of the many trips I have to make, and would bring us inline with our neighbors to the south.

I respectfully request your vote for a "Do Pass" recommendation from this committee.

Sincerely,

Andrew Bornemann
Kintyre, ND

2025 SENATE TRANSPORTATION

HB 1298

2025 SENATE STANDING COMMITTEE MINUTES

Transportation Committee Fort Totten Room, State Capitol

HB 1298 9:30AM
3/6/2025

A BILL for an Act to amend and reenact subdivision i of subsection 1 of section 39-09-02 of the North Dakota Century Code, relating to speed limitations on multilane highways; and to provide a penalty.

9:38 a.m. Chairman Clemens opened the hearing.

Members present: Chairman Clemens, Vice Chairwoman Cory, Senator Hogan, Senator Klein, Senator Paulson, Senator Rummel

Discussion Topics:

- Digital speed limit signs during inclement weather
- Speeding infractions
- Roadway maintenance accommodations for increased speed limits

9:39 a.m. Representative Koppelman, District 16, introduced HB 1298, testified in favor and submitted testimony #39214.

9:57 a.m. Matt Linneman, Deputy Director for Engineering, NDDOT, testified neutral.

Additional written testimony:

Catherine Chase, President, Advocates for Highway and Auto Safety, submitted written testimony in opposition #38506.

Brooke Kelley, American Property Casualty Insurance Association, submitted written testimony in opposition #38625.

Anita Tulp submitted written testimony in opposition #39011.

10:04 a.m. Chairman Clemens closed the hearing.

Chance Anderson, Committee Clerk



February 28, 2025

The Honorable David A. Clemens, Chairman
 The Honorable Claire Cory, Vice Chairwoman
 Senate Transportation Committee
 North Dakota Legislative Assembly
 600 East Boulevard Avenue
 Bismarck, North Dakota 58505-0360

Dear Chairman Clemens and Vice Chairwoman Cory:

Advocates for Highway and Auto Safety (Advocates), an alliance of consumer, safety, medical, public health and law enforcement groups and insurance companies working together to pass highway and auto safety laws that prevent crashes, save lives, reduce injuries, and contain costs, urges you to oppose House Bill (HB) 1298. This legislation will permit an increase in speed limits to 80 miles per hour (mph) on access-controlled, paved and divided, multilane interstate highways across North Dakota, endangering state residents as well as visitors.

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Speeding reduces a driver's ability to react to emergencies created by driver inattention, unsafe maneuvers of other vehicles, roadway hazards, vehicle issues (such as tire blowouts) or hazardous weather conditions. Higher speeds will result in more preventable fatalities as well as serious and expensive injuries. Traffic crashes are not only devastating to individuals and families, but they are also costly. In 2019, the economic cost of motor vehicle crashes in North Dakota totaled \$735 million or \$965 per resident.^{iv} If these costs were updated for inflation alone, in 2024 they would equate to \$922 million and \$1,210 respectively.^v During the same year, crashes in which at least one driver was speeding cost our nation more than \$46 billion.^{vi} In 2024 dollars that would be \$58 billion.^{vii}

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Sincerely,

Catherine Chase
 President

cc: Senate Transportation Committee members

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- i NHTSA. (2024). Overview of Motor Vehicle Crashes in 2022. U.S. Department of Transportation, available at <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813560>.
- ii Traffic Safety Facts: Crash Stats, Early Estimate of Motor Vehicle Traffic Fatalities in 2023, NHTSA, April 2024, DOT HS 813 561, available at <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813561>.
- iii State Traffic Safety Information for North Dakota (2022), NHTSA, available at <https://cdan.dot.gov/STSI/stsi.htm>.
- iv The Economic and Societal Impact of Motor Vehicle Crashes, 2019, NHTSA, December 2022, DOT HS 813 403, available at <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813403>.
- v CPI Inflation Calculator, BLS, Jan. 2019 to Jan. 2024, available at <https://data.bls.gov/cgi-bin/cpicalc.pl>.
- vi The Economic and Societal Impact of Motor Vehicle Crashes, 2019, NHTSA, December 2022, DOT HS 813 403, available at <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813403>.
- vii CPI Inflation Calculator, BLS, Jan. 2019 to Jan. 2024, available at <https://data.bls.gov/cgi-bin/cpicalc.pl>.
- viii Impact of Speeds on Drivers and Vehicles – Results from Crash Tests, AAA Foundation for Safety, Humanetics, and IIHS, Jan. 2021, available at <https://www.iihs.org/api/datastoredocument/bibliography/2218>
- ix “Speed.” Topic Overview. IIHS, available [here](#).
- x Farmer, Charles M., The effects of higher speed limits on traffic fatalities in the United States, 1993–2017, IIHS, April 2019; available at <https://www.iihs.org/api/datastoredocument/bibliography/2188>.



March 6, 2025

RE: OPPOSE, [HB1298](#) Speed Limit Increase

APCIA is the leading national trade association representing home, auto, and business insurers. Our mission is to promote and protect the viability of private competition, benefiting both consumers and insurers. With a legacy that dates back 150 years, we advocate on behalf of over 1,200 member companies, which collectively write nearly 60 percent of the auto insurance in the United States. In North Dakota, APCIA's members write more than \$9.1 billion in property and casualty insurance premiums. We respectfully submit the following comments in opposition to **HB1298**.

While the intention behind this bill may be to enhance travel efficiency, APCIA believes that raising the speed limit poses several serious safety concerns.

Research indicates that higher speed limits lead to an increase in traffic accidents and fatalities. When vehicles are traveling at higher speeds, the potential for catastrophic collisions rises significantly. The difference of just 5 miles per hour can mean the difference between a survivable accident and a tragic outcome. In a state where inclement weather conditions can dramatically affect road safety, it is crucial to prioritize the well-being of all drivers and passengers.

Moreover, increasing the speed limit can place additional strain on our emergency response services. Higher speeds result in more severe accidents, which could overwhelm our first responders and hospitals, particularly in rural areas where resources may already be limited. A higher speed limit could thus inadvertently compromise the safety of our communities.

As premiums are often influenced by accident rates and the severity of crashes, even a small increase in the speed limit could lead to higher claims and costs for insurers. In turn, this may be reflected in rising premiums for North Dakota drivers, creating an additional financial burden. APCIA urges legislators to focus on promoting road safety and reducing accidents, not on increasing speed without consideration of the consequences. APCIA urges the committee to **VOTE NO on HB1298** and to reconsider the implications of this bill.

Respectfully,

Brooke Kelley

A handwritten signature in cursive script that reads "Brooke Kelley".

Assistant Vice President, State Government Relations



American Property Casualty Insurance Association

March 5, 2025

Dear Chairman and members of the Senate Transportation Committee,

I am writing to you in opposition to HB 1298. I do not believe we need to raise the speed limit on our Interstate highways. Some may say they are comfortable driving at a higher speed, yet we have many instances where driving too fast has caused accidents. We may have a lot of flat roadways which allow for great visibility in good weather, yet North Dakota experiences a wide variety of weather conditions that may impair visibility and disguise road conditions. A higher speed limit may encourage people to drive faster than they should on icy or snow-covered road conditions making it harder to slow down and avoid an accident.

We have many young drivers in this state, some of which include my grandchildren. They do not have the experience driving at high speeds yet may feel that since that is the speed limit, they should be driving at that speed even if they are not comfortable doing it. Since our young people can get a permit at the age of 14 and drive with a licensed driver, they will be out there. If they have an accident, they could lose their own life or take someone else's. Even just a life-threatening injury of their own or someone else's will traumatize them for life.

I have had an accident before. My daughter had an accident on Interstate. It is not I ever want to go through again. Please vote "Do Not Pass" on HB 1298.

Thank you for your time.

HB 1298**Rep. Ben Koppelman- Testimony**

Mr. Chairman and Members of the Committee, thank you for the opportunity to introduce HB 1298. HB 1298 will raise the speed limit on interstates from 75 to 80 MPH, while still allowing the cities located along these corridors to work with DOT to control the speed of the sections of these highways where they pass through city limits. This increase in speed will be a phased in approach that will allow DOT to initially increase speeds in all the areas that can easily handle the speed, and work toward upgrading other areas that can handle the speed with minor improvements. The remaining areas of interstate will be phased in over time as roads are improved. The intent of the bill is to not interfere with DOT's ability to reduce speed in areas of highly dangerous highway, such as the scenic section of I-94 near Medora, on a case-by-case basis if there is not a reasonable way to make it safe at the full speed limit.

Seven other states already have interstate speeds of 80 MPH, and they are all contiguous to each other as they are to us (with the exception of OK). These states are SD, MT, WY, ID, UT, NV and OK. Texas has highways at 80 MPH and even some at 85 MPH. The irony here is that we probably have the highways with the least number of curves and hills.

Some would say that the prevailing speed limit is already 80 to 82 MPH on interstates, and that if we increase the speed limit from 75 to 80 MPH that everyone would automatically drive in excess of 85 MPH. I disagree with that

assessment. Although that is a possibility, people tend to drive at a speed that they are comfortable driving at, and many would not be comfortable driving 85 MPH or more. In addition, law enforcement could reduce how many miles over the speed limit they would allow before ticketing. Studies have shown that as speed limits increase, drivers do not necessarily increase their speed by the same amount. For example, back when interstate speed limits were 55 MPH, it was not uncommon to have drivers going 10-15 miles over the limit, whereas now 5 MPH over is more common.

Over the past few sessions, some have criticized this proposal by saying, 'Everyone is already driving 5 MPH over the speed limit on these highways, why should we raise the limit? Is it that you want to drive 85 on the interstate?' To those questions I respond with this: As members of the Legislative branch, it is our responsibility to set policy, and it is the responsibility of the executive branch to decide how to execute that policy. Now, I am not here to criticize the Highway Patrol or other law enforcement, but rather to recognize the separation of powers in our government. Therefore, it is my contention that since it appears that the roads continue to be safe with a prevailing speed of 5 MPH over the limit now that we should raise the limits to that point, and let the administrative branch decide if there should be any grace to those limits based on safety and other factors.

The Federal Highway Administration, the National Cooperative Highway Research Program, and the Institute of Transportation Engineers all recommend using the 85% rule to determine speed limits. **That rule states that if more than 85% of the**

regular traffic drives above the Posted Speed Limit, then steps should be taken to raise the limit. In my experience, the prevailing speed on these highways is about 5 MPH over the respective limits. Why does the 85% rule work? Raising the limit causes slower traffic to move up to the prevailing speed and brings a more uniform traffic flow.

A study in Utah following their increase to 80 MPH found a 20% reduction in the number of people driving more than 80 MPH. The study showed that in some places the average speed increased by 2 MPH and in another area, it went down 2 MPH. The overall effect was no change in the average speed. Last Session in the House Transportation committee, we heard testimony to a similar effect relating to the experience of our sister State, South Dakota. In fact, that testifier indicated current support upwards of 80% for their 80 MPH speed limit which is up significantly from when they initially raised the limit. The bottom line is **People drive the speed that they feel safe and comfortable at, not the speed limit.**

This bill passed the legislature during the 2023 session but was vetoed by the governor because House leadership would not heed his demand over expediting a seatbelt bill. Over the past few bienniums, we have seen many safety improvements on our interstates that make this possible, and those improvements continue. One example that you may have noticed is the cable railings in the center medians across the state. Last session, there was no fiscal note for this bill, and as of this morning, there was not one this session. This is likely because DOT would simply replace the speed limit signs (many of which have aged) within their budgetary resources.

In past sessions, there has been discussion about adding a minimum speed limit, but this idea was dismissed last session and again this session by the House committee as it raises the costs substantially, and has historically been opposed by farmers and the AG community. There has also been some discussion of trying to add speeding fine increases to this bill, and although I am supportive of efforts to increase penalties for those that are driving 20 MPH over the speed limit or driving in a reckless and out-of-control manner, I would ask that you pass this bill out of committee in its current form.

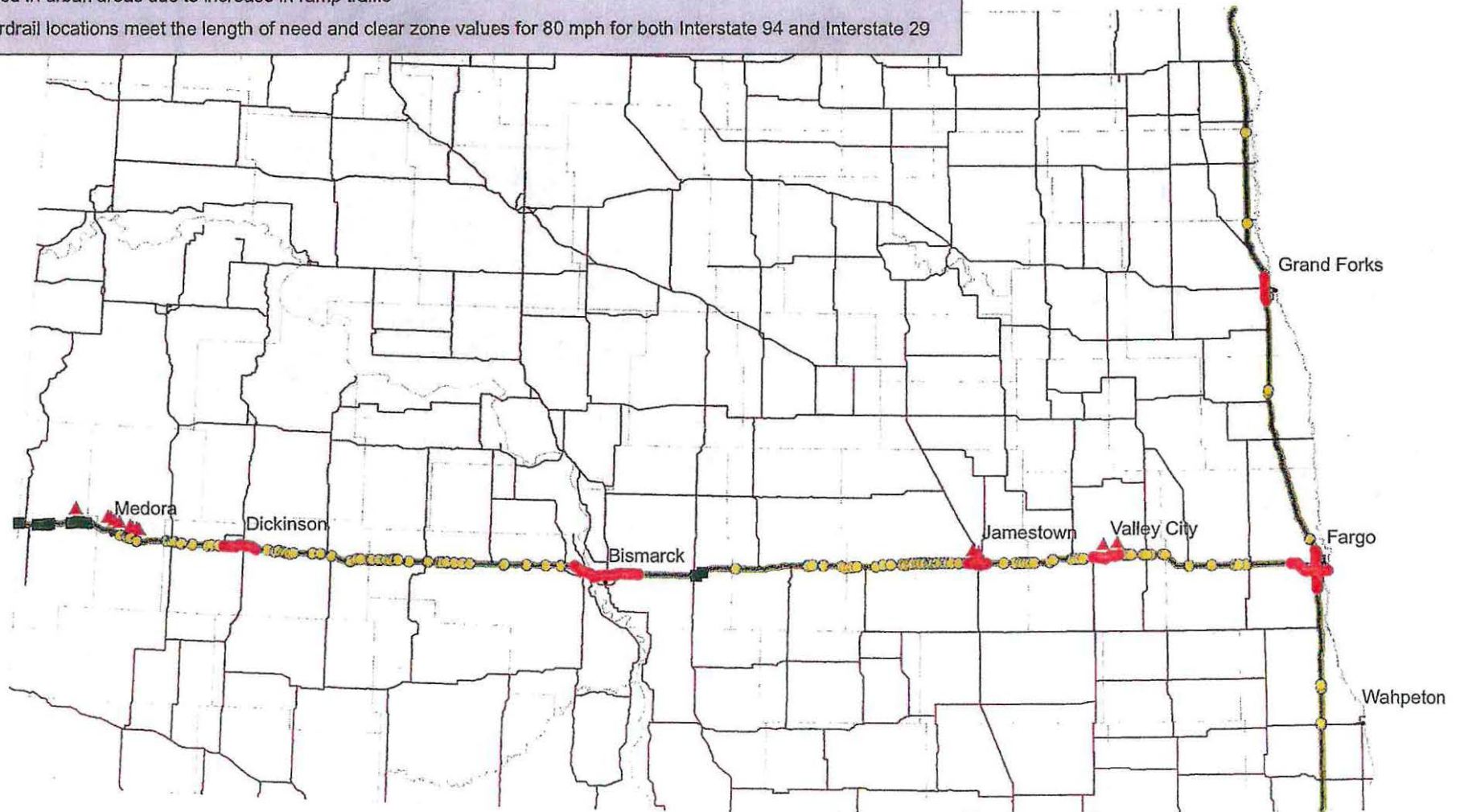
Now, some of you may recall that the subject of this bill was very important to former Speaker Wes Belter as well as the late Senator Lonny Laffen when they served in the legislature, and I believe that this bill will honor their legacy if it passes.

Mr. Chairman and members of the committee, although some would say it is minor, this bill will save our citizens time and money. It will not result in a substantial increase in our prevailing speed and it is not likely to change our traffic accident statistics related to speed in a negative way. It does have the potential of reducing the number of traffic stops each year which would reduce the safety risk to our law enforcement. I respectfully request a DO-PASS recommendation from the committee. Thank You for your time, and I would be happy to try and answer your questions.

Curves Not Meeting Current AASHTO Design Standards for 80 mph Reconstruction

- 24 vertical curves that will be updated in the next few years with programmed reconstruction projects
- 320 vertical curves that do not fall within the limits of programmed reconstruction projects
- ▲ 21 horizontal curves
- Speed reduced in urban areas due to increase in ramp traffic

Note: Nearly all guardrail locations meet the length of need and clear zone values for 80 mph for both Interstate 94 and Interstate 29



2025 SENATE STANDING COMMITTEE MINUTES

Transportation Committee Fort Totten Room, State Capitol

HB 1298 11:23 AM
3/6/2025

A BILL for an Act to amend and reenact subdivision i of subsection 1 of section 39-09-02 of the North Dakota Century Code, relating to speed limitations on multilane highways; and to provide a penalty.

11:23 a.m. Chairman Clemens opened the hearing.

Members present: Chairman Clemens, Vice Chairwoman Cory, Senator Hogan, Senator Klein, Senator Paulson, Senator Rummel

Discussion Topics:

- Fine structure and speed limit sign amendments

11:23 a.m. Senator Rummel provided updates on potential amendments regarding fine structures and speed limit signs.

11:25 a.m. Chairman Clemens closed the hearing.

Chance Anderson, Committee Clerk

2025 SENATE STANDING COMMITTEE MINUTES

Transportation Committee Fort Totten Room, State Capitol

HB 1298
3/7/2025

Relating to speed limitations on multilane highways; and to provide a penalty.
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10:18 a.m. Chairman Clemens opened the hearing.

Members present: Chairman Clemens, Vice Chairwoman Cory, Senator Hogan, Senator Klein, Senator Paulson, Senator Rummel

Discussion Topics:

- Adjusting speeding fine structure
- Interstate speed limits
- Electronic speed limit signs in crash zones on interstates

10:18 a.m. Senator Rummel updated the committee on a proposed amendment and submitted testimony in favor #39549, #39553.

10:18 a.m. Senator Rummel moved Amendment LC#25.0496.01001.

10:18 a.m. Senator Klein seconded the motion.

10:39 a.m. Senator Rummel withdrew motion.

10:39 a.m. Senator Klein withdrew second.

10:45 a.m. Chairman Clemens adjourned the meeting.

Chance Anderson, Committee Clerk

25.0496.01001
Title.

Prepared by the Legislative Council
staff for Senator Rummel
March 5, 2025

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO

HOUSE BILL NO. 1298

Introduced by

Representatives Koppelman, Louser, Murphy, Pyle, Schneider, Vetter, Grueneich

Senators Cory, Meyer, Paulson, Roers

1 A BILL ~~for an Act to amend and reenact subdivision i of subsection 1 of section 39-09-02 of the~~
2 ~~North Dakota Century Code, relating to speed limitations on multilane highways; and to provide~~
3 ~~a penalty for an Act to amend and reenact sections 39-06.1-06, 39-09-02, 39-09-04, and~~
4 ~~39-09-07.1, and subsection 2 of section 40-05-06 of the North Dakota Century Code, relating to~~
5 ~~the amount of statutory fees, speed limitations on multilane highways, variable speed limits,~~
6 ~~alteration of maximum speed limits on state highways, speed zone reduction limitations, and~~
7 ~~city fines and penalties; and to provide a penalty.~~

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

9 ~~— **SECTION 1. AMENDMENT.** Subdivision i of subsection 1 of section 39-09-02 of the North~~
10 ~~Dakota Century Code is amended and reenacted as follows:~~

11 ~~— **i.** Seventy-five ~~Eighty~~ miles [120.70 ~~128.75~~ kilometers] an hour on~~
12 ~~access-controlled, paved and divided, multilane interstate highways, unless~~
13 ~~otherwise permitted, restricted, or required by conditions.~~

14 **SECTION 1. AMENDMENT.** Section 39-06.1-06 of the North Dakota Century Code is
15 amended and reenacted as follows:

16 **39-06.1-06. Amount of statutory fees.**

17 The fees required for a noncriminal disposition under section 39-06.1-02 or 39-06.1-03 must
18 be as follows:

19 1. For a nonmoving violation as defined in section 39-06.1-08, a fee of twenty dollars
20 except for a violation of any traffic parking regulation on any state charitable or penal

institution property or on the state capitol grounds, a fee in the amount of five dollars, excluding a violation of subsection 11 of section 39-01-15.

2. For a moving violation as defined in section 39-06.1-09, a fee of twenty dollars, except for:

a. A violation of section 39-10-26, 39-10-26.2, 39-10-41, or 39-10-42, a fee of fifty dollars.

b. A violation of section 39-10-05 involving failure to yield to a pedestrian or subsection 1 of section 39-10-28, a fee of fifty dollars.

c. A violation of section 39-21-41.2, a fee of twenty-five dollars.

d. A violation of subsection 1 of section 39-12-02, section 39-08-23, or section 39-08-25, a fee of one hundred dollars.

e. A violation of subdivision d of subsection 1 of section 39-12-04, a fee of one hundred dollars.

f. A violation of subsection 6 of section 39-04-37, a fee of one hundred dollars.

g. A violation of subsection 2 of section 39-10-21.1, a fee of two hundred fifty dollars.

h. A violation of section 39-10-59, a fee of five hundred dollars.

i. A violation of section 39-09-01, a fee of thirty dollars.

j. A violation of section 39-09-01.1, a fee of thirty dollars.

k. A violation of section 39-10-46 or 39-10-46.1, a fee of one hundred dollars.

l. A violation of subsection 1 of section 39-08-20, one hundred fifty dollars for a first violation and three hundred dollars for a second or subsequent violation in three years.

m. A violation of section 39-10-24 or 39-10-44, a fee of forty dollars.

n. A violation of section 39-10-50.1, a fee of fifty dollars.

o. A violation of section 39-19-03, a fee of fifty dollars.

3. For a violation of section 39-21-44 or a rule adopted under that section, a fee of two hundred fifty dollars.

4. ~~Except as provided in subsections 5 and 7, for~~ For a violation of section 39-09-02, or an equivalent ordinance, a fee ~~established as follows:~~

~~Miles per hour over~~

lawful speed limit	Fee
1 - 5	\$ 5
6 - 10	\$ 5 plus \$1/each mph over 5 mph over limit
11 - 15	\$ 10 plus \$1/each mph over 10 mph over limit
16 - 20	\$ 15 plus \$2/each mph over 15 mph over limit
21 - 25	\$ 25 plus \$3/each mph over 20 mph over limit
26 - 35	\$ 40 plus \$3/each mph over 25 mph over limit
36 - 45	\$ 70 plus \$3/each mph over 35 mph over limit
46 +	\$100 plus \$5/each mph over 45 mph over limit
5. On a highway on which the speed limit is a speed higher than fifty-five miles [88.51 kilometers] an hour, for a violation of section 39-09-02, or an equivalent ordinance, a fee established as follows:	
Miles per hour over	Fee
1 - 10	\$2/each mph over limit
11 +	\$20 plus \$5/each mph over 10 mph over limit <u>of five dollars for each mile per hour over the limit.</u>
6.5. For a violation of section 39-06.2-10.9 or subsection 3 of section 39-21-46, a fee established as follows:	
a. Driving more than eleven hours since the last ten hours off duty, driving after fourteen hours on duty since the last ten hours off duty, driving after sixty hours on duty in seven days or seventy hours in eight days, no record of duty status or log book in possession, failing to retain previous seven-day record of duty status or log book, or operating a vehicle with four to six out-of-service defects, one hundred dollars;	
b. False record of duty status or log book or operating a vehicle with seven to nine out-of-service defects, two hundred fifty dollars;	
c. Operating a vehicle after driver placed out of service, operating a vehicle with ten or more out-of-service defects, or operating a vehicle that has been placed out of service prior to its repair, five hundred dollars; and	

d. All other violations of motor carrier safety rules adopted under subsection 3 of section 39-21-46, fifty dollars.

~~7. On a highway on which the speed limit is posted in excess of sixty-five miles [104.61 kilometers] an hour, for a violation of section 39-09-02, or equivalent ordinance, a fee of five dollars for each mile per hour over the limit.~~

8.6. For a violation of a school zone speed limit under subdivision b of subsection 1 of section 39-09-02, a fee of forty dollars for one through ten miles per hour over the posted speed; and forty dollars, plus one dollar for each additional mile per hour over ten miles per hour over the limit unless a greater fee would be applicable under this section.

9.7. For a violation of a highway construction zone speed limit under subsection 2 of section 39-09-02, a fee of eighty dollars for one through ten miles per hour over the posted speed; and eighty dollars plus two dollars for each mile per hour over ten miles per hour over the limit, unless a greater fee would be applicable under this section. The fee in this subsection does not apply to a highway construction zone unless individuals engaged in construction are present at the time and place of the violation and the posted speed limit sign states "Minimum Fee \$80".

SECTION 2. AMENDMENT. Section 39-09-02 of the North Dakota Century Code is amended and reenacted as follows:

39-09-02. Speed limitations.

1. Subject to the provisions of section 39-09-01 and except in those instances when a lower speed is specified in this chapter, it presumably is lawful for the driver of a vehicle to drive the same at a speed not exceeding:

a. Twenty miles [32.19 kilometers] an hour when approaching within fifty feet [15.24 meters] of a grade crossing of any steam, electric, or street railway when the driver's view is obstructed. A driver's view is deemed to be obstructed when at any time during the last two hundred feet [60.96 meters] of the driver's approach to such crossing, the driver does not have a clear and uninterrupted view of such railway crossing and of any traffic on such railway for a distance of four hundred feet [121.92 meters] in each direction from such crossing.

- 1 b. Twenty miles [32.19 kilometers] an hour when passing a school during school
2 recess or while children are going to or leaving school during opening or closing
3 hours, unless a lower speed is designated or posted by local authorities.
- 4 c. Twenty miles [32.19 kilometers] an hour when approaching within fifty feet [15.24
5 meters] and in traversing an intersection of highways when the driver's view is
6 obstructed. A driver's view is deemed to be obstructed when at any time during
7 the last fifty feet [15.24 meters] of the driver's approach to such intersection, the
8 driver does not have a clear and uninterrupted view of such intersection and of
9 the traffic upon all of the highways entering such intersection for a distance of two
10 hundred feet [60.96 meters] from such intersection.
- 11 d. Twenty miles [32.19 kilometers] an hour when the driver's view of the highway
12 ahead is obstructed within a distance of one hundred feet [30.48 meters].
- 13 e. Twenty-five miles [40.23 kilometers] an hour on any highway in a business district
14 or in a residence district or in a public park, unless a different speed is designated
15 and posted by local authorities.
- 16 f. Fifty-five miles [88.51 kilometers] an hour on gravel, dirt, or loose surface
17 highways, and on paved two-lane county and township highways if there is no
18 speed limit posted, unless otherwise permitted, restricted, or required by
19 conditions.
- 20 g. Sixty-five miles [104.61 kilometers] an hour on paved two-lane highways if posted
21 for that speed, unless otherwise permitted, restricted, or required by conditions.
- 22 h. Seventy miles [112.65 kilometers] an hour on paved and divided multilane
23 highways, unless otherwise permitted, restricted, or required by conditions.
- 24 i. ~~Seventy-five~~Eighty miles [~~120.70~~128.75 kilometers] an hour on
25 access-controlled, paved and divided, multilane interstate highways, unless
26 otherwise permitted, restricted, or required by conditions.
- 27 2. The director may designate and post special areas of state highways where lower
28 speed limits apply. Differing limits may be established for different times of the day
29 within highway construction zones which are effective when posted upon appropriate
30 fixed or variable speed limit signs.

3. The director may designate variable speed limit adjustment zones along the state highway system. The department may install variable speed limit signs in a variable speed limit adjustment zone. In each variable speed limit adjustment zone the director, in coordination with the superintendent of the highway patrol, may use real time intelligent transportation systems to adjust the speed limit when a speed limit adjustment would provide for the safe and efficient movement of motor vehicles.

4. Except as provided by law, ~~it is unlawful for any~~a person ~~to~~may not drive a vehicle ~~upon~~on a highway at a speed that is unsafe or at a speed exceeding the speed limit prescribed by law or established pursuant to law.

4.5. In charging a violation of the provisions of this section, the complaint must specify the speed at which the defendant is alleged to have driven and the speed which this section prescribes is prima facie lawful at the time and place of the alleged offense.

SECTION 3. AMENDMENT. Section 39-09-04 of the North Dakota Century Code is amended and reenacted as follows:

39-09-04. Alteration of maximum speed limits on state highways.

The maximum speed limits specified in section 39-09-02 may be altered on all or any part of the state highway system by an administrative order by the director after holding a public hearing ~~has been held~~. ~~Such~~The determination must be based on engineering and traffic investigations with primary consideration given to the establishment of reasonable and safe speeds, highway conditions, enforcement, and the general welfare. Speed limits established ~~pursuant to~~under this section ~~shall be~~are effective only when appropriate signs giving notice ~~thereof~~ are erected and ~~such~~the maximum speed limits may be declared ~~to be~~ effective at all times or at ~~such~~the times ~~as are~~ indicated ~~upon said~~on the signs. Differing limits may be established by the director for different times of the day, different types of vehicles, varying weather conditions, and other factors bearing on safe speeds, ~~which shall be~~. Differing limits are effective when posted ~~upon~~on appropriate fixed or variable signs. An administrative order is not required to lower maximum speed limits temporarily due to unsafe conditions.

SECTION 4. AMENDMENT. Section 39-09-07.1 of the North Dakota Century Code is amended and reenacted as follows:

39-09-07.1. Speed zones - Reduction limitation.

1. Except ~~for highway construction zones~~ under subsections 2 and 3 of this section, ~~no~~ a street, road, or highway in the state highway system or any other township, county, or state road or highway may not be posted in a manner which reduces the maximum speed limit on the street, road, or highway by more than twenty miles [32.19 kilometers] per hour between ~~any~~ two signs ~~so~~ posted in a speed zone.

2. The maximum speed limit reductions between two fixed or variable signs in a variable speed limit adjustment zone may exceed twenty miles [32.18 kilometers] per hour when speed limits are lowered temporarily by the director due to unsafe conditions.

3. The maximum speed limit reduction between ~~any~~ two signs posted in a highway construction zone may not exceed thirty miles [48.28 kilometers] per hour.

SECTION 5. AMENDMENT. Subsection 2 of section 40-05-06 of the North Dakota Century Code is amended and reenacted as follows:

2. For every violation of a city ordinance that regulates the operation or equipment of a motor vehicle or which regulates traffic, except those ordinances listed in section 39-06.1-05, a fee may be established, by ordinance, which may exceed, by up to one hundred percent, the limit, for an equivalent category of violation, set forth in section 39-06.1-06 except for a violation of a speed limitation.

[HP Interstate Ice Crashes FINAL](#)

https://www.youtube.com/watch?v=V_UcPed1ndk

2025 SENATE STANDING COMMITTEE MINUTES

Transportation Committee Fort Totten Room, State Capitol

HB 1298
3/21/2025

A BILL for an Act to amend and reenact subdivision i of subsection 1 of section 39-09-02 of the North Dakota Century Code, relating to speed limitations on multilane highways; and to provide a penalty.

10:33 a.m. Chairman Clemens opened the hearing.

Discussion Topics:

- Variable speed limit signs
- Crash statistics
- Raising of speed limits

10:33 a.m. Representative Koppelman, District 16, discussed proposed amendments and testified in favor.

10:41 a.m. Matt Linneman, Deputy Director, NDDOT, testified neutral.

10:54 a.m. Derek Arndt, Administrative Service Commander, NDHP, testified neutral.

11:15 a.m. Stephanie Engebretson, Lobbyist, Chiefs of Police Association North Dakota, testified neutral.

11:21 a.m. Chairman Clemens adjourned the meeting.

Chance Anderson, Committee Clerk

2025 SENATE STANDING COMMITTEE MINUTES

Transportation Committee Fort Totten Room, State Capitol

HB 1298
3/27/2025

A BILL for an Act to amend and reenact subdivision i of subsection 1 of section 39-09-02 of the North Dakota Century Code, relating to speed limitations on multilane highways; and to provide a penalty.

10:52 a.m. Chairman Clemens opened the hearing.

Members present: Chairman Clemens, Vice Chairwoman Cory, Senator Hogan, Senator Klein, Senator Paulson, Senator Rummel

Discussion Topics:

- Speeding fine structure

10:52 a.m. Senator Rummel provided the committee with updates of a proposed amendment regarding speeding fine structures and previously submitted testimony #39549.

10:57 a.m. Senator Rummel moved Amendment LC#25.0496.01001.

10:57 a.m. Senator Hogan seconded the motion.

11:00 a.m. Representative Koppelman, District 16, answered committee questions.

Senators	Vote
Senator David A. Clemens	N
Senator Claire Cory	N
Senator Kathy Hogan	Y
Senator Jerry Klein	Y
Senator Bob Paulson	N
Senator Dean Rummel	Y

Motion failed 3-3-0.

11:06 a.m. Chairman Clemens adjourned the meeting.

Chance Anderson, Committee Clerk

2025 SENATE STANDING COMMITTEE MINUTES

Transportation Committee Fort Totten Room, State Capitol

HB 1298
4/3/2025

A BILL for an Act to amend and reenact subdivision i of subsection 1 of section 39-09-02 of the North Dakota Century Code, relating to speed limitations on multilane highways; and to provide a penalty.

10:00 a.m. Chairman Clemens called the meeting to order.

Members present: Chairman Clemens, Vice Chairwoman Cory, Senator Hogan, Senator Klein, Senator Paulson, Senator Rummel

Discussion Topics:

- Variable speed limit signs
- Point system for driving violations

10:01 a.m. Senator Paulson presented a proposed amendment regarding electronic speed limit signs and submitted testimony in favor #44614.

10:18 a.m. Chairman Clemens adjourned the meeting.

Chance Anderson, Committee Clerk

25.0496.01002
Title.

Prepared by the Legislative Council
staff for Senator Paulson
April 2, 2025

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO

HOUSE BILL NO. 1298

Introduced by

Representatives Koppelman, Louser, Murphy, Pyle, Schneider, Vetter, Grueneich

Senators Cory, Meyer, Paulson, Roers

1 A BILL ~~for an Act to amend and reenact subdivision i of subsection 1 of section 39-09-02 of the~~
2 ~~North Dakota Century Code, relating to speed limitations on multilane highways; and to provide~~
3 ~~a penalty for an Act to amend and reenact sections 39-09-02, 39-09-04, and 39-09-07.1 of the~~
4 North Dakota Century Code, relating to speed limitations on multilane highways, variable speed
5 limits, alteration of maximum speed limits on state highways, and speed zone reduction
6 limitations; and to provide a penalty.

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

8 ~~— **SECTION 1. AMENDMENT.** Subdivision i of subsection 1 of section 39-09-02 of the North~~
9 ~~Dakota Century Code is amended and reenacted as follows:~~

10 ~~— **i.** ~~Seventy-five~~Eighty miles [~~120.70~~128.75 kilometers] an hour on~~
11 ~~access-controlled, paved and divided, multilane interstate highways, unless~~
12 ~~otherwise permitted, restricted, or required by conditions.~~

13 **SECTION 1. AMENDMENT.** Section 39-09-02 of the North Dakota Century Code is
14 amended and reenacted as follows:

15 **39-09-02. Speed limitations.**

16 1. Subject to the provisions of section 39-09-01 and except in those instances when a
17 lower speed is specified in this chapter, it presumably is lawful for the driver of a
18 vehicle to drive the same at a speed not exceeding:

19 a. Twenty miles [32.19 kilometers] an hour when approaching within fifty feet [15.24
20 meters] of a grade crossing of any steam, electric, or street railway when the

1 driver's view is obstructed. A driver's view is deemed to be obstructed when at
2 any time during the last two hundred feet [60.96 meters] of the driver's approach
3 to such crossing, the driver does not have a clear and uninterrupted view of such
4 railway crossing and of any traffic on such railway for a distance of four hundred
5 feet [121.92 meters] in each direction from such crossing.

6 b. Twenty miles [32.19 kilometers] an hour when passing a school during school
7 recess or while children are going to or leaving school during opening or closing
8 hours, unless a lower speed is designated or posted by local authorities.

9 c. Twenty miles [32.19 kilometers] an hour when approaching within fifty feet [15.24
10 meters] and in traversing an intersection of highways when the driver's view is
11 obstructed. A driver's view is deemed to be obstructed when at any time during
12 the last fifty feet [15.24 meters] of the driver's approach to such intersection, the
13 driver does not have a clear and uninterrupted view of such intersection and of
14 the traffic upon all of the highways entering such intersection for a distance of two
15 hundred feet [60.96 meters] from such intersection.

16 d. Twenty miles [32.19 kilometers] an hour when the driver's view of the highway
17 ahead is obstructed within a distance of one hundred feet [30.48 meters].

18 e. Twenty-five miles [40.23 kilometers] an hour on any highway in a business district
19 or in a residence district or in a public park, unless a different speed is designated
20 and posted by local authorities.

21 f. Fifty-five miles [88.51 kilometers] an hour on gravel, dirt, or loose surface
22 highways, and on paved two-lane county and township highways if there is no
23 speed limit posted, unless otherwise permitted, restricted, or required by
24 conditions.

25 g. Sixty-five miles [104.61 kilometers] an hour on paved two-lane highways if posted
26 for that speed, unless otherwise permitted, restricted, or required by conditions.

27 h. Seventy miles [112.65 kilometers] an hour on paved and divided multilane
28 highways, unless otherwise permitted, restricted, or required by conditions.

29 i. ~~Seventy-five~~Eighty miles [~~120.70~~128.75 kilometers] an hour on
30 access-controlled, paved and divided, multilane interstate highways, unless
31 otherwise permitted, restricted, or required by conditions.

2. The director may designate and post special areas of state highways where lower speed limits apply. Differing limits may be established for different times of the day within highway construction zones which are effective when posted upon appropriate fixed or variable speed limit signs.

3. The director may designate variable speed limit adjustment zones along the state highway system. The department may install variable speed limit signs in a variable speed limit adjustment zone. In each variable speed limit adjustment zone, the director, in coordination with the superintendent of the highway patrol, may use real time intelligent transportation systems to adjust the speed limit when a speed limit adjustment would provide for the safe and efficient movement of motor vehicles.

4. Except as provided by law, ~~it is unlawful for any~~a person ~~to~~may not drive a vehicle ~~upon~~on a highway at a speed that is unsafe or at a speed exceeding the speed limit prescribed by law or established pursuant to law.

~~4.5.~~ In charging a violation of the provisions of this section, the complaint must specify the speed at which the defendant is alleged to have driven and the speed which this section prescribes is prima facie lawful at the time and place of the alleged offense.

SECTION 2. AMENDMENT. Section 39-09-04 of the North Dakota Century Code is amended and reenacted as follows:

39-09-04. Alteration of maximum speed limits on state highways.

The maximum speed limits specified in section 39-09-02 may be altered on all or any part of the state highway system by an administrative order by the director after holding a public hearing ~~has been held~~. ~~Such~~The determination must be based on engineering and traffic investigations with primary consideration given to the establishment of reasonable and safe speeds, highway conditions, enforcement, and the general welfare. Speed limits established ~~pursuant to~~under this section ~~shall be~~are effective only when appropriate signs giving notice ~~thereof~~ are erected and ~~such~~the maximum speed limits may be declared ~~to be~~ effective at all times or at ~~such~~the times ~~as are indicated upon said~~on the signs. Differing limits may be established by the director for different times of the day, different types of vehicles, varying weather conditions, and other factors bearing on safe speeds, ~~which shall be~~. Differing limits are effective when posted upon appropriate fixed or variable signs. An administrative order is not required to lower maximum speed limits temporarily due to unsafe conditions.

SECTION 3. AMENDMENT. Section 39-09-07.1 of the North Dakota Century Code is amended and reenacted as follows:

39-09-07.1. Speed zones - Reduction limitation.

1. Except ~~for highway construction zones~~ under subsections 2 and 3 of this section, ~~no~~ a street, road, or highway in the state highway system or any other township, county, or state road or highway may not be posted in a manner which reduces the maximum speed limit on the street, road, or highway by more than twenty miles [32.19 kilometers] per hour between ~~any~~ two signs ~~so~~ posted in a speed zone.

2. The maximum speed limit reductions between two fixed or variable signs in a variable speed limit adjustment zone may exceed twenty miles [32.19 kilometers] per hour when speed limits are lowered temporarily by the director due to unsafe conditions.

3. The maximum speed limit reduction between ~~any~~ two signs posted in a highway construction zone may not exceed thirty miles [48.28 kilometers] per hour.

2025 SENATE STANDING COMMITTEE MINUTES

Transportation Committee Fort Totten Room, State Capitol

HB 1298
4/4/2025

A BILL for an Act to amend and reenact subdivision i of subsection 1 of section 39-09-02 of the North Dakota Century Code, relating to speed limitations on multilane highways; and to provide a penalty.

9:58 a.m. Chairman Clemens called the meeting to order.

Members present: Chairman Clemens, Vice Chairwoman Cory, Senator Hogan, Senator Klein, Senator Paulson, Senator Rummel

Discussion Topics:

- Speeding fine structure
- Variable Speed limit signs

10:00 a.m. Senator Rummel presented proposed amendments and submitted testimony in favor #44676 and referenced amendment LC#25.0496.01001 testimony #39549 from 3/7/25.

10:15 a.m. Senator Rummel moved Amendment LC#25.0496.01003.

10:15 a.m. Senator Klein seconded the motion.

Senators	Vote
Senator David A. Clemens	Y
Senator Claire Cory	N
Senator Kathy Hogan	Y
Senator Jerry Klein	Y
Senator Bob Paulson	N
Senator Dean Rummel	Y

Motion passed 4-2-0.

10:16 a.m. Senator Rummel moved a Do Pass as Amended.

10:16 a.m. Senator Hogan seconded the motion.

Senators	Vote
Senator David A. Clemens	Y
Senator Claire Cory	N
Senator Kathy Hogan	Y
Senator Jerry Klein	N
Senator Bob Paulson	Y
Senator Dean Rummel	Y

Senate Transportation Committee
HB 1298
April 4, 2025
Page 2

Motion passed 4-2-0.

Senator Rummel will carry the bill.

10:19 a.m. Chairman Clemens adjourned the meeting.

Chance Anderson, Committee Clerk

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO

VC 4/4/25
1 of 13

HOUSE BILL NO. 1298

Introduced by

Representatives Koppelman, Louser, Murphy, Pyle, Schneider, Vetter, Grueneich

Senators Cory, Meyer, Paulson, Roers

1 A BILL ~~for an Act to amend and reenact subdivision i of subsection 1 of section 39-09-02 of the~~
2 ~~North Dakota Century Code, relating to speed limitations on multilane highways; and to provide~~
3 ~~a penalty for an Act to amend and reenact section 39-06.1-06, subsection 3 of section~~
4 ~~39-06.1-10, sections 39-09-02, 39-09-04, and 39-09-07.1, and subsection 2 of section 40-05-06~~
5 ~~of the North Dakota Century Code, relating to the amount of statutory fees, points assigned to~~
6 ~~driving records, speed limitations on multilane highways, variable speed limits, alteration of~~
7 ~~maximum speed limits on state highways, speed zone reduction limitations, and city fines and~~
8 ~~penalties; and to provide a penalty.~~

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

10 ~~— **SECTION 1. AMENDMENT.** Subdivision i of subsection 1 of section 39-09-02 of the North~~
11 ~~Dakota Century Code is amended and reenacted as follows:~~

12 ~~— i. **Seventy-five**Eighty miles [120.70128.75 kilometers] an hour on~~
13 ~~access-controlled, paved and divided, multilane interstate highways, unless~~
14 ~~otherwise permitted, restricted, or required by conditions.~~

15 **SECTION 1. AMENDMENT.** Section 39-06.1-06 of the North Dakota Century Code is
16 amended and reenacted as follows:

17 **39-06.1-06. Amount of statutory fees.**

18 The fees required for a noncriminal disposition under section 39-06.1-02 or 39-06.1-03 must
19 be as follows:

1. For a nonmoving violation as defined in section 39-06.1-08, a fee of twenty dollars except for a violation of any traffic parking regulation on any state charitable or penal institution property or on the state capitol grounds, a fee in the amount of five dollars, excluding a violation of subsection 11 of section 39-01-15.
2. For a moving violation as defined in section 39-06.1-09, a fee of twenty dollars, except for:
 - a. A violation of section 39-10-26, 39-10-26.2, 39-10-41, or 39-10-42, a fee of fifty dollars.
 - b. A violation of section 39-10-05 involving failure to yield to a pedestrian or subsection 1 of section 39-10-28, a fee of fifty dollars.
 - c. A violation of section 39-21-41.2, a fee of twenty-five dollars.
 - d. A violation of subsection 1 of section 39-12-02, section 39-08-23, or section 39-08-25, a fee of one hundred dollars.
 - e. A violation of subdivision d of subsection 1 of section 39-12-04, a fee of one hundred dollars.
 - f. A violation of subsection 6 of section 39-04-37, a fee of one hundred dollars.
 - g. A violation of subsection 2 of section 39-10-21.1, a fee of two hundred fifty dollars.
 - h. A violation of section 39-10-59, a fee of five hundred dollars.
 - i. A violation of section 39-09-01, a fee of thirty dollars.
 - j. A violation of section 39-09-01.1, a fee of thirty dollars.
 - k. A violation of section 39-10-46 or 39-10-46.1, a fee of one hundred dollars.
 - l. A violation of subsection 1 of section 39-08-20, one hundred fifty dollars for a first violation and three hundred dollars for a second or subsequent violation in three years.
 - m. A violation of section 39-10-24 or 39-10-44, a fee of forty dollars.
 - n. A violation of section 39-10-50.1, a fee of fifty dollars.
 - o. A violation of section 39-19-03, a fee of fifty dollars.
3. For a violation of section 39-21-44 or a rule adopted under that section, a fee of two hundred fifty dollars.

4. ~~Except as provided in subsections 5 and 7, for~~For a violation of section 39-09-02, or an equivalent ordinance, a fee established as follows:

~~Miles per hour over~~

~~lawful speed limit~~ Fee

~~1 - 5~~ \$ 5

~~6 - 10~~ \$ 5 plus \$1/each mph over 5 mph over limit

~~11 - 15~~ \$ 10 plus \$1/each mph over 10 mph over limit

~~16 - 20~~ \$ 15 plus \$2/each mph over 15 mph over limit

~~21 - 25~~ \$ 25 plus \$3/each mph over 20 mph over limit

~~26 - 35~~ \$ 40 plus \$3/each mph over 25 mph over limit

~~36 - 45~~ \$ 70 plus \$3/each mph over 35 mph over limit

~~46 +~~ \$100 plus \$5/each mph over 45 mph over limit

5. ~~On a highway on which the speed limit is a speed higher than fifty-five miles [88.51 kilometers] an hour, for a violation of section 39-09-02, or an equivalent ordinance, a fee established as follows:~~

~~Miles per hour over~~

~~lawful speed limit~~ Fee

~~1 - 10~~ \$2/each mph over limit

~~11 +~~ \$20 plus \$5/each mph over 10 mph over limit of five dollars for each mile per hour over the limit.

6.5. For a violation of section 39-06.2-10.9 or subsection 3 of section 39-21-46, a fee established as follows:

- a. Driving more than eleven hours since the last ten hours off duty, driving after fourteen hours on duty since the last ten hours off duty, driving after sixty hours on duty in seven days or seventy hours in eight days, no record of duty status or log book in possession, failing to retain previous seven-day record of duty status or log book, or operating a vehicle with four to six out-of-service defects, one hundred dollars;
- b. False record of duty status or log book or operating a vehicle with seven to nine out-of-service defects, two hundred fifty dollars;

- c. Operating a vehicle after driver placed out of service, operating a vehicle with ten or more out-of-service defects, or operating a vehicle that has been placed out of service prior to its repair, five hundred dollars; and
- d. All other violations of motor carrier safety rules adopted under subsection 3 of section 39-21-46, fifty dollars.

~~7. On a highway on which the speed limit is posted in excess of sixty five miles [104.61 kilometers] an hour, for a violation of section 39-09-02, or equivalent ordinance, a fee of five dollars for each mile per hour over the limit.~~

8-6. For a violation of a school zone speed limit under subdivision b of subsection 1 of section 39-09-02, a fee of forty dollars for one through ten miles per hour over the posted speed; and forty dollars, plus one dollar for each additional mile per hour over ten miles per hour over the limit unless a greater fee would be applicable under this section.

9-7. For a violation of a highway construction zone speed limit under subsection 2 of section 39-09-02, a fee of eighty dollars for one through ten miles per hour over the posted speed; and eighty dollars plus two dollars for each mile per hour over ten miles per hour over the limit, unless a greater fee would be applicable under this section. The fee in this subsection does not apply to a highway construction zone unless individuals engaged in construction are present at the time and place of the violation and the posted speed limit sign states "Minimum Fee \$80".

SECTION 2. AMENDMENT. Subsection 3 of section 39-06.1-10 of the North Dakota Century Code is amended and reenacted as follows:

3. Points must be assigned and accumulated on the basis of the following schedule:

a. Noncriminal Violations

Noncriminal Adjudication or Admission of:

Points Assigned:

- | | |
|---|----------|
| (1) Overtime and double parking in violation of city ordinances | 0 points |
| (2) Failure to display license plates | 1 point |
| (3) Permitting unauthorized minor to drive | 2 points |
| (4) Permitting unauthorized person to drive | 2 points |

1	(5) Unlawful stopping, standing, or parking on open	2 points
2	highway in violation of section 39-10-47	
3	(6) Unlawful parking in prohibited place	1 point
4	(7) Leaving motor vehicle improperly unattended on	1 point
5	an open highway	
6	(8) Opening or leaving motor vehicle doors open when	1 point
7	unsafe to do so	
8	(9) Except as provided in sections 39-21-44 and	2 points
9	39-21-45.1, knowingly driving with defective,	
10	nonexistent, or unlawful equipment in violation of	
11	section 39-21-46, or equivalent ordinances	
12	(10) Careless driving in violation of section 39-09-01, or	6 points
13	equivalent ordinance	
14	(11) Violating or exceeding restrictions contained in	4 points
15	a restricted certificate issued pursuant to section	
16	39-06.1-03	
17	(12) Racing or drag racing motor vehicles in violation	10 points
18	of section 39-08-03.1, or equivalent ordinance	
19	(13) Exhibition driving in violation of section 39-08-03.1, or	3 points
20	equivalent ordinance	
21	(14) Failing to yield right of way in violation of	2 points
22	section 39-10-20, 39-10-22 through 39-10-26,	
23	39-10-28, 39-10-33.3, 39-10-44, or 39-10-72, or	
24	equivalent ordinances	
25	(15) Disobeying an official traffic-control device	23 points
26	in violation of section 39-10-04, 39-10-05, or	
27	39-10-07, or equivalent ordinances	
28	(16) Driving on wrong side of road in violation of	2 points
29	section 39-10-08, 39-10-14, or	
30	subsection 1, or 2, or 3 of section 39-10-16, or	
31	equivalent ordinances	

1	(17) Failing to dim headlights in violation of section	1 point
2	39-21-21, or equivalent ordinance	
3	(18) Failing to stop at railroad crossing in violation of section	3 points
4	39-10-41 or 39-10-42, or equivalent ordinances	
5	(19) Knowingly driving with defective brakes in violation of	2 points
6	section 39-21-32 or 39-21-33, or equivalent ordinances	
7	(20) Disregarding the lawful commands of a police officer in	2 points
8	violation of section 39-10-02, or equivalent ordinance	
9	(21) Overtaking where prohibited or in an unsafe manner in	2 points
10	violation of section 39-10-11, <u>or</u> 39-10-12, 39-10-13, or	
11	39-10-15 , or equivalent ordinances	
12	(22) Overtaking and passing a schoolbus in violation of	6 points
13	section 39-10-46, or equivalent ordinance	
14	(23) Operating a motor vehicle without a license in	4 points
15	violation of section 39-06-01, or equivalent ordinance	
16	(24) Improperly operating or unlawfully carrying	2 points
17	passengers or packages on a motorcycle in violation	
18	of section 39-10.2-02, or equivalent ordinance	
19	(25) Improperly operating a motorcycle in laned traffic in	2 points
20	violation of section 39-10.2-03, or equivalent ordinance	
21	(26) Clinging to other vehicles while riding a motorcycle in	4 points
22	violation of section 39-10.2-04, or equivalent ordinance	
23	(27) Carrying a passenger on a motorcycle not equipped	2 points
24	with passenger footrests in violation of section	
25	39-10.2-05, or equivalent ordinance	
26	(28) Operating a motorcycle without protective headgear	2 points
27	in violation of subsection 1 of section 39-10.2-06, or	
28	equivalent ordinance	
29	(29) Failing to use the care required in section 39-09-01.1,	2 points
30	or equivalent ordinance	

1	(30)	Except as provided in paragraph 33, operating a motor	
2		vehicle in excess of speed limit in violation of section	
3		39-09-02, or equivalent ordinance	
4		6 - 10 mph over limit	0 points
5		11 - 15 mph over limit	1 point
6		16 - 20 mph over limit	3 points
7		21 - 25 mph over limit	5 points
8		26 - 35 mph over limit	9 points
9		36 - 45 mph over limit	12 points
10		46 + mph over limit	15 points
11	(31)	Driving in violation of section 39-08-18	23 points
12	(32)	Driving in violation of section 39-08-09	6 points
13	(33)	On a highway on which the speed limit is posted in	
14		excess of sixty-five miles [104.61 kilometers] an hour,	
15		operating a motor vehicle in excess of the speed limit	
16		in violation of section 39-09-02, or equivalent ordinance	
17		Miles per hour over lawful speed limit	Points
18		1 - 5	0
19		6 - 10	1
20		11 - 15	3
21		16 - 20	5
22		21 - 25	7
23		26 - 30	10
24		31 - 35	12
25		36 +	15
26	(34)	Failing to have a minor in a child restraint system	1 point 3 points
27		or seatbelt in violation of section 39-21-41.2	
28	(35)	Failure or refusal to comply with rules of the	0 points
29		superintendent of the highway patrol in violation	
30		of subsection 3 of section 39-21-46	

1	(36) Violation of section 39-21-44 or any rule adopted	2 points
2	under that section	
3	(37) Except as provided in paragraph 39, operating a motor	6 points
4	vehicle without liability insurance, in violation of	
5	section 39-08-20	
6	(38) Except as provided in paragraph 39, operating a motor	12 points
7	vehicle without liability insurance, in violation of	
8	section 39-08-20, if the driving record shows that the	
9	licensee has within the eighteen months preceding the	
10	violation previously violated section 39-08-20	
11	(39) Operating a motor vehicle without liability insurance,	14 points
12	in violation of section 39-08-20, if the violation was	
13	discovered as the result of investigation of an accident	
14	in which the driver is the owner	
15	(40) Driving a modified motor vehicle in violation of section	1 point
16	39-21-45.1, or equivalent ordinance	
17	(41) Driving in violation of the conditions of	2 points
18	an instructional permit	
19	(42) <u>Using a wireless communications device</u>	3 points
20	<u>in violation of section 39-08-23 or</u>	
21	<u>39-08-24, or equivalent ordinance</u>	
22	(43) <u>Failure to maintain control of a motor vehicle while distracted</u>	3 points
23	<u>in violation of section 39-08-25</u>	
24	(44) <u>Overtaking where prohibited or in an unsafe manner in</u>	3 points
25	<u>violation of section 39-10-13 or 39-10-15, or</u>	
26	<u>equivalent ordinances</u>	
27	(45) <u>Driving on the wrong side of the road in violation of</u>	3 points
28	<u>subsection 3 of section 39-10-16, or</u>	
29	<u>equivalent ordinances</u>	

1	(46) Following too close in violation of	3 points
2	subsection 1 of section 39-10-18, or	
3	equivalent ordinance	
4	(47) Driving on a closed road during hazardous conditions.	3 points
5	when closure was announced, in violation	
6	of section 39-10-21.1, or equivalent ordinance	
7	(48) Failing to yield the right of way in violation	3 points
8	of section 39-10-22 through 39-10-26,	
9	39-10-26.3, 39-10-28, or 39-10-33.3, or equivalent ordinance	
10	(49) Disregarding stop sign in violation of section	3 points
11	39-10-44, or equivalent ordinance.	
12	b. Criminal Violations	
13	Conviction of:	Points Assigned:
14	(1) Reckless driving in violation of section 39-08-03, or	8 points
15	equivalent ordinance	
16	(2) Aggravated reckless driving in violation of section	12 points
17	39-08-03, or equivalent ordinance	
18	(3) Leaving the scene of an accident involving property	14 points
19	damage in violation of section 39-08-05, 39-08-07,	
20	or 39-08-08, or equivalent ordinances	
21	(4) Leaving the scene of an accident involving personal	18 points
22	injury or death in violation of section 39-08-04, or	
23	equivalent ordinance	
24	(5) Violating restrictions in a restricted license issued	3 points
25	under section 39-06-17 and relating to the use of	
26	eyeglasses or contact lenses while driving	
27	(6) Violating any restrictions other than those listed in	4 points
28	paragraph 5, contained in a restricted license issued	
29	under section 39-06-17 or 39-06.1-11	

- 1 (7) Except as provided in paragraph 9 of subdivision a, 23 points
2 knowingly operating an unsafe vehicle in violation of
3 section 39-21-46, or equivalent ordinance
4 (8) Fleeing in a motor vehicle from a peace officer in 24 points
5 violation of section 39-10-71, or equivalent ordinance
6 (9) Causing an accident with an authorized emergency 2 points
7 vehicle or a vehicle operated by or under the control
8 of the director used for maintaining the state highway
9 system in violation of subsection 5 of section 39-10-26,
10 or equivalent ordinance.

11 **SECTION 3. AMENDMENT.** Section 39-09-02 of the North Dakota Century Code is
12 amended and reenacted as follows:

13 **39-09-02. Speed limitations.**

- 14 1. Subject to the provisions of section 39-09-01 and except in those instances when a
15 lower speed is specified in this chapter, it presumably is lawful for the driver of a
16 vehicle to drive the same at a speed not exceeding:
17 a. Twenty miles [32.19 kilometers] an hour when approaching within fifty feet [15.24
18 meters] of a grade crossing of any steam, electric, or street railway when the
19 driver's view is obstructed. A driver's view is deemed to be obstructed when at
20 any time during the last two hundred feet [60.96 meters] of the driver's approach
21 to such crossing, the driver does not have a clear and uninterrupted view of such
22 railway crossing and of any traffic on such railway for a distance of four hundred
23 feet [121.92 meters] in each direction from such crossing.
24 b. Twenty miles [32.19 kilometers] an hour when passing a school during school
25 recess or while children are going to or leaving school during opening or closing
26 hours, unless a lower speed is designated or posted by local authorities.
27 c. Twenty miles [32.19 kilometers] an hour when approaching within fifty feet [15.24
28 meters] and in traversing an intersection of highways when the driver's view is
29 obstructed. A driver's view is deemed to be obstructed when at any time during
30 the last fifty feet [15.24 meters] of the driver's approach to such intersection, the
31 driver does not have a clear and uninterrupted view of such intersection and of

- 1 the traffic upon all of the highways entering such intersection for a distance of two
- 2 hundred feet [60.96 meters] from such intersection.
- 3 d. Twenty miles [32.19 kilometers] an hour when the driver's view of the highway
- 4 ahead is obstructed within a distance of one hundred feet [30.48 meters].
- 5 e. Twenty-five miles [40.23 kilometers] an hour on any highway in a business district
- 6 or in a residence district or in a public park, unless a different speed is designated
- 7 and posted by local authorities.
- 8 f. Fifty-five miles [88.51 kilometers] an hour on gravel, dirt, or loose surface
- 9 highways, and on paved two-lane county and township highways if there is no
- 10 speed limit posted, unless otherwise permitted, restricted, or required by
- 11 conditions.
- 12 g. Sixty-five miles [104.61 kilometers] an hour on paved two-lane highways if posted
- 13 for that speed, unless otherwise permitted, restricted, or required by conditions.
- 14 h. Seventy miles [112.65 kilometers] an hour on paved and divided multilane
- 15 highways, unless otherwise permitted, restricted, or required by conditions.
- 16 i. ~~Seventy-five~~Eighty miles [~~120.70~~128.75 kilometers] an hour on
- 17 access-controlled, paved and divided, multilane interstate highways, unless
- 18 otherwise permitted, restricted, or required by conditions.
- 19 2. The director may designate and post special areas of state highways where lower
- 20 speed limits apply. Differing limits may be established for different times of the day
- 21 within highway construction zones which are effective when posted upon appropriate
- 22 fixed or variable speed limit signs.
- 23 3. The director may designate variable speed limit adjustment zones along the state
- 24 highway system. The department may install variable speed limit signs in a variable
- 25 speed limit adjustment zone. In each variable speed limit adjustment zone the director,
- 26 in coordination with the superintendent of the highway patrol, may use real time
- 27 intelligent transportation systems to adjust the speed limit when a speed limit
- 28 adjustment would provide for the safe and efficient movement of motor vehicles.
- 29 4. Except as provided by law, ~~it is unlawful for any~~a person ~~to~~may not drive a vehicle
- 30 ~~upon~~on a highway at a speed that is unsafe or at a speed exceeding the speed limit
- 31 prescribed by law or established pursuant to law.

1 ~~4-5.~~ In charging a violation of the provisions of this section, the complaint must specify the
2 speed at which the defendant is alleged to have driven and the speed which this
3 section prescribes is prima facie lawful at the time and place of the alleged offense.

4 **SECTION 4. AMENDMENT.** Section 39-09-04 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **39-09-04. Alteration of maximum speed limits on state highways.**

7 The maximum speed limits specified in section 39-09-02 may be altered on all or any part of
8 the state highway system by an administrative order by the director after holding a public
9 hearing ~~has been held. Such~~ The determination must be based on engineering and traffic
10 investigations with primary consideration given to the establishment of reasonable and safe
11 speeds, highway conditions, enforcement, and the general welfare. Speed limits established
12 ~~pursuant to~~ under this section ~~shall be~~ are effective only when appropriate signs giving notice
13 ~~thereof~~ are erected and ~~such~~ the maximum speed limits may be declared ~~to be~~ effective at all
14 times or at ~~such~~ the times ~~as are~~ indicated ~~upon said~~ on the signs. Differing limits may be
15 established by the director for different times of the day, different types of vehicles, varying
16 weather conditions, and other factors bearing on safe speeds, ~~which shall be~~. Differing limits are
17 effective when posted ~~upon~~ on appropriate fixed or variable signs. An administrative order is not
18 required to lower maximum speed limits temporarily due to unsafe conditions.

19 **SECTION 5. AMENDMENT.** Section 39-09-07.1 of the North Dakota Century Code is
20 amended and reenacted as follows:

21 **39-09-07.1. Speed zones - Reduction limitation.**

22 1. Except for highway construction zones under subsections 2 and 3, ~~on~~ a street, road, or
23 highway in the state highway system or any other township, county, or state road or
24 highway may not be posted in a manner which reduces the maximum speed limit on
25 the street, road, or highway by more than twenty miles [32.19 kilometers] per hour
26 between ~~any~~ two signs ~~so~~ posted in a speed zone.

27 2. The maximum speed limit reductions between two fixed or variable signs in a variable
28 speed limit adjustment zone may exceed twenty miles [32.18 kilometers] per hour
29 when speed limits are lowered temporarily by the director due to unsafe conditions.

30 3. The maximum speed limit reduction between ~~any~~ two signs posted in a highway
31 construction zone may not ~~exceed~~ thirty miles [48.28 kilometers] per hour.

- 1 **SECTION 6. AMENDMENT.** Subsection 2 of section 40-05-06 of the North Dakota Century
2 Code is amended and reenacted as follows:
- 3 2. For every violation of a city ordinance that regulates the operation or equipment of a
4 motor vehicle or which regulates traffic, except those ordinances listed in section
5 39-06.1-05, a fee may be established, by ordinance, which may exceed, by up to one
6 hundred percent, the limit, for an equivalent category of violation, set forth in section
7 39-06.1-06 except for a violation of a speed limitation.

**REPORT OF STANDING COMMITTEE
HB 1298**

Transportation Committee (Sen. Clemens, Chairman) recommends **AMENDMENTS** ([25.0496.01003](#)) and when so amended, recommends **DO PASS** (4 YEAS, 2 NAYS, 0 ABSENT OR EXCUSED AND NOT VOTING). HB 1298 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

25.0496.01003
Title.

Prepared by the Legislative Council
staff for Senator Rummel
April 4, 2025

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO

HOUSE BILL NO. 1298

Introduced by

Representatives Koppelman, Louser, Murphy, Pyle, Schneider, Vetter, Grueneich

Senators Cory, Meyer, Paulson, Roers

A BILL ~~for an Act to amend and reenact subdivision i of subsection 1 of section 39-09-02 of the North Dakota Century Code, relating to speed limitations on multilane highways; and to provide a penalty~~ for an Act to amend and reenact section 39-06.1-06, subsection 3 of section 39-06.1-10, sections 39-09-02, 39-09-04, and 39-09-07.1, and subsection 2 of section 40-05-06 of the North Dakota Century Code, relating to the amount of statutory fees, points assigned to driving records, speed limitations on multilane highways, variable speed limits, alteration of maximum speed limits on state highways, speed zone reduction limitations, and city fines and penalties; and to provide a penalty.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

~~SECTION 1. AMENDMENT. Subdivision i of subsection 1 of section 39-09-02 of the North Dakota Century Code is amended and reenacted as follows:~~

~~i. Seventy-five Eighty miles [120.70 128.75 kilometers] an hour on access-controlled, paved and divided, multilane interstate highways, unless otherwise permitted, restricted, or required by conditions.~~

SECTION 1. AMENDMENT. Section 39-06.1-06 of the North Dakota Century Code is amended and reenacted as follows:

39-06.1-06. Amount of statutory fees.

The fees required for a noncriminal disposition under section 39-06.1-02 or 39-06.1-03 must be as follows:

1. For a nonmoving violation as defined in section 39-06.1-08, a fee of twenty dollars except for a violation of any traffic parking regulation on any state charitable or penal institution property or on the state capitol grounds, a fee in the amount of five dollars, excluding a violation of subsection 11 of section 39-01-15.
2. For a moving violation as defined in section 39-06.1-09, a fee of twenty dollars, except for:
 - a. A violation of section 39-10-26, 39-10-26.2, 39-10-41, or 39-10-42, a fee of fifty dollars.
 - b. A violation of section 39-10-05 involving failure to yield to a pedestrian or subsection 1 of section 39-10-28, a fee of fifty dollars.
 - c. A violation of section 39-21-41.2, a fee of twenty-five dollars.
 - d. A violation of subsection 1 of section 39-12-02, section 39-08-23, or section 39-08-25, a fee of one hundred dollars.
 - e. A violation of subdivision d of subsection 1 of section 39-12-04, a fee of one hundred dollars.
 - f. A violation of subsection 6 of section 39-04-37, a fee of one hundred dollars.
 - g. A violation of subsection 2 of section 39-10-21.1, a fee of two hundred fifty dollars.
 - h. A violation of section 39-10-59, a fee of five hundred dollars.
 - i. A violation of section 39-09-01, a fee of thirty dollars.
 - j. A violation of section 39-09-01.1, a fee of thirty dollars.
 - k. A violation of section 39-10-46 or 39-10-46.1, a fee of one hundred dollars.
 - l. A violation of subsection 1 of section 39-08-20, one hundred fifty dollars for a first violation and three hundred dollars for a second or subsequent violation in three years.
 - m. A violation of section 39-10-24 or 39-10-44, a fee of forty dollars.
 - n. A violation of section 39-10-50.1, a fee of fifty dollars.
 - o. A violation of section 39-19-03, a fee of fifty dollars.
3. For a violation of section 39-21-44 or a rule adopted under that section, a fee of two hundred fifty dollars.

4. ~~Except as provided in subsections 5 and 7, for~~For a violation of section 39-09-02, or an equivalent ordinance, a fee ~~established as follows:~~

~~Miles per hour over~~

~~lawful speed limit~~ Fee

~~1 - 5 \$ 5~~

~~6 - 10 \$ 5 plus \$1/each mph over 5 mph over limit~~

~~11 - 15 \$ 10 plus \$1/each mph over 10 mph over limit~~

~~16 - 20 \$ 15 plus \$2/each mph over 15 mph over limit~~

~~21 - 25 \$ 25 plus \$3/each mph over 20 mph over limit~~

~~26 - 35 \$ 40 plus \$3/each mph over 25 mph over limit~~

~~36 - 45 \$ 70 plus \$3/each mph over 35 mph over limit~~

~~46 + \$100 plus \$5/each mph over 45 mph over limit~~

~~5. On a highway on which the speed limit is a speed higher than fifty-five miles [88.51 kilometers] an hour, for a violation of section 39-09-02, or an equivalent ordinance, a fee established as follows:~~

~~Miles per hour over~~

~~lawful speed limit~~ Fee

~~1 - 10 \$2/each mph over limit~~

~~11 + \$20 plus \$5/each mph over 10 mph over limit~~of five dollars for each mile per hour over the limit.

~~6.5.~~ For a violation of section 39-06.2-10.9 or subsection 3 of section 39-21-46, a fee established as follows:

- a. Driving more than eleven hours since the last ten hours off duty, driving after fourteen hours on duty since the last ten hours off duty, driving after sixty hours on duty in seven days or seventy hours in eight days, no record of duty status or log book in possession, failing to retain previous seven-day record of duty status or log book, or operating a vehicle with four to six out-of-service defects, one hundred dollars;
- b. False record of duty status or log book or operating a vehicle with seven to nine out-of-service defects, two hundred fifty dollars;

- c. Operating a vehicle after driver placed out of service, operating a vehicle with ten or more out-of-service defects, or operating a vehicle that has been placed out of service prior to its repair, five hundred dollars; and
- d. All other violations of motor carrier safety rules adopted under subsection 3 of section 39-21-46, fifty dollars.

~~7. On a highway on which the speed limit is posted in excess of sixty-five miles [104.61 kilometers] an hour, for a violation of section 39-09-02, or equivalent ordinance, a fee of five dollars for each mile per hour over the limit.~~

~~8.6.~~ For a violation of a school zone speed limit under subdivision b of subsection 1 of section 39-09-02, a fee of forty dollars for one through ten miles per hour over the posted speed; and forty dollars, plus one dollar for each additional mile per hour over ten miles per hour over the limit unless a greater fee would be applicable under this section.

~~9.7.~~ For a violation of a highway construction zone speed limit under subsection 2 of section 39-09-02, a fee of eighty dollars for one through ten miles per hour over the posted speed; and eighty dollars plus two dollars for each mile per hour over ten miles per hour over the limit, unless a greater fee would be applicable under this section. The fee in this subsection does not apply to a highway construction zone unless individuals engaged in construction are present at the time and place of the violation and the posted speed limit sign states "Minimum Fee \$80".

SECTION 2. AMENDMENT. Subsection 3 of section 39-06.1-10 of the North Dakota Century Code is amended and reenacted as follows:

3. Points must be assigned and accumulated on the basis of the following schedule:

a. Noncriminal Violations

Noncriminal Adjudication or Admission of:	Points Assigned:
(1) Overtime and double parking in violation of city ordinances	0 points
(2) Failure to display license plates	1 point
(3) Permitting unauthorized minor to drive	2 points
(4) Permitting unauthorized person to drive	2 points

1	(5) Unlawful stopping, standing, or parking on open	2 points
2	highway in violation of section 39-10-47	
3	(6) Unlawful parking in prohibited place	1 point
4	(7) Leaving motor vehicle improperly unattended on	1 point
5	an open highway	
6	(8) Opening or leaving motor vehicle doors open when	1 point
7	unsafe to do so	
8	(9) Except as provided in sections 39-21-44 and	2 points
9	39-21-45.1, knowingly driving with defective,	
10	nonexistent, or unlawful equipment in violation of	
11	section 39-21-46, or equivalent ordinances	
12	(10) Careless driving in violation of section 39-09-01, or	6 points
13	equivalent ordinance	
14	(11) Violating or exceeding restrictions contained in	4 points
15	a restricted certificate issued pursuant to section	
16	39-06.1-03	
17	(12) Racing or drag racing motor vehicles in violation	10 points
18	of section 39-08-03.1, or equivalent ordinance	
19	(13) Exhibition driving in violation of section 39-08-03.1, or	3 points
20	equivalent ordinance	
21	(14) Failing to yield right of way in violation of	2 points
22	section 39-10-20, 39-10-22 through 39-10-26,	
23	39-10-28, 39-10-33.3, 39-10-44, or 39-10-72, or	
24	equivalent ordinances	
25	(15) Disobeying an official traffic-control device	2 3 points
26	in violation of section 39-10-04, 39-10-05, or	
27	39-10-07, or equivalent ordinances	
28	(16) Driving on wrong side of road in violation of	2 points
29	section 39-10-08, 39-10-14, or	
30	subsection 1, or 2, or 3 of section 39-10-16, or	
31	equivalent ordinances	

1	(17) Failing to dim headlights in violation of section	1 point
2	39-21-21, or equivalent ordinance	
3	(18) Failing to stop at railroad crossing in violation of section	3 points
4	39-10-41 or 39-10-42, or equivalent ordinances	
5	(19) Knowingly driving with defective brakes in violation of	2 points
6	section 39-21-32 or 39-21-33, or equivalent ordinances	
7	(20) Disregarding the lawful commands of a police officer in	2 points
8	violation of section 39-10-02, or equivalent ordinance	
9	(21) Overtaking where prohibited or in an unsafe manner in	2 points
10	violation of section 39-10-11, <u>or</u> 39-10-12, 39-10-13, or	
11	39-10-15, or equivalent ordinances	
12	(22) Overtaking and passing a schoolbus in violation of	6 points
13	section 39-10-46, or equivalent ordinance	
14	(23) Operating a motor vehicle without a license in	4 points
15	violation of section 39-06-01, or equivalent ordinance	
16	(24) Improperly operating or unlawfully carrying	2 points
17	passengers or packages on a motorcycle in violation	
18	of section 39-10.2-02, or equivalent ordinance	
19	(25) Improperly operating a motorcycle in laned traffic in	2 points
20	violation of section 39-10.2-03, or equivalent ordinance	
21	(26) Clinging to other vehicles while riding a motorcycle in	4 points
22	violation of section 39-10.2-04, or equivalent ordinance	
23	(27) Carrying a passenger on a motorcycle not equipped	2 points
24	with passenger footrests in violation of section	
25	39-10.2-05, or equivalent ordinance	
26	(28) Operating a motorcycle without protective headgear	2 points
27	in violation of subsection 1 of section 39-10.2-06, or	
28	equivalent ordinance	
29	(29) Failing to use the care required in section 39-09-01.1,	2 points
30	or equivalent ordinance	

1	(30)	Except as provided in paragraph 33, operating a motor	
2		vehicle in excess of speed limit in violation of section	
3		39-09-02, or equivalent ordinance	
4		6 - 10 mph over limit	0 points
5		11 - 15 mph over limit	1 point
6		16 - 20 mph over limit	3 points
7		21 - 25 mph over limit	5 points
8		26 - 35 mph over limit	9 points
9		36 - 45 mph over limit	12 points
10		46 + mph over limit	15 points
11	(31)	Driving in violation of section 39-08-18	23 points
12	(32)	Driving in violation of section 39-08-09	6 points
13	(33)	On a highway on which the speed limit is posted in	
14		excess of sixty-five miles [104.61 kilometers] an hour,	
15		operating a motor vehicle in excess of the speed limit	
16		in violation of section 39-09-02, or equivalent ordinance	
17		Miles per hour over lawful speed limit	Points
18		1 - 5	0
19		6 - 10	1
20		11 - 15	3
21		16 - 20	5
22		21 - 25	7
23		26 - 30	10
24		31 - 35	12
25		36 +	15
26	(34)	Failing to have a minor in a child restraint system	1 point 3 points
27		or seatbelt in violation of section 39-21-41.2	
28	(35)	Failure or refusal to comply with rules of the	0 points
29		superintendent of the highway patrol in violation	
30		of subsection 3 of section 39-21-46	

1	(36) Violation of section 39-21-44 or any rule adopted	2 points
2	under that section	
3	(37) Except as provided in paragraph 39, operating a motor	6 points
4	vehicle without liability insurance, in violation of	
5	section 39-08-20	
6	(38) Except as provided in paragraph 39, operating a motor	12 points
7	vehicle without liability insurance, in violation of	
8	section 39-08-20, if the driving record shows that the	
9	licensee has within the eighteen months preceding the	
10	violation previously violated section 39-08-20	
11	(39) Operating a motor vehicle without liability insurance,	14 points
12	in violation of section 39-08-20, if the violation was	
13	discovered as the result of investigation of an accident	
14	in which the driver is the owner	
15	(40) Driving a modified motor vehicle in violation of section	1 point
16	39-21-45.1, or equivalent ordinance	
17	(41) Driving in violation of the conditions of	2 points
18	an instructional permit.	
19	<u>(42) Using a wireless communications device</u>	<u>3 points</u>
20	<u>in violation of section 39-08-23 or</u>	
21	<u>39-08-24, or equivalent ordinance</u>	
22	<u>(43) Failure to maintain control of a motor vehicle while distracted</u>	<u>3 points</u>
23	<u>in violation of section 39-08-25</u>	
24	<u>(44) Overtaking where prohibited or in an unsafe manner in</u>	<u>3 points</u>
25	<u>violation of section 39-10-13 or 39-10-15, or</u>	
26	<u>equivalent ordinances</u>	
27	<u>(45) Driving on the wrong side of the road in violation of</u>	<u>3 points</u>
28	<u>subsection 3 of section 39-10-16, or</u>	
29	<u>equivalent ordinances</u>	

1	(46) Following too close in violation of	3 points
2	subsection 1 of section 39-10-18, or	
3	equivalent ordinance	
4	(47) Driving on a closed road during hazardous conditions,	3 points
5	when closure was announced, in violation	
6	of section 39-10-21.1, or equivalent ordinance	
7	(48) Failing to yield the right of way in violation	3 points
8	of section 39-10-22 through 39-10-26,	
9	39-10-26.3, 39-10-28, or 39-10-33.3, or equivalent ordinance	
10	(49) Disregarding stop sign in violation of section	3 points
11	39-10-44, or equivalent ordinance.	
12	b. Criminal Violations	
13	Conviction of:	Points Assigned:
14	(1) Reckless driving in violation of section 39-08-03, or	8 points
15	equivalent ordinance	
16	(2) Aggravated reckless driving in violation of section	12 points
17	39-08-03, or equivalent ordinance	
18	(3) Leaving the scene of an accident involving property	14 points
19	damage in violation of section 39-08-05, 39-08-07,	
20	or 39-08-08, or equivalent ordinances	
21	(4) Leaving the scene of an accident involving personal	18 points
22	injury or death in violation of section 39-08-04, or	
23	equivalent ordinance	
24	(5) Violating restrictions in a restricted license issued	3 points
25	under section 39-06-17 and relating to the use of	
26	eyeglasses or contact lenses while driving	
27	(6) Violating any restrictions other than those listed in	4 points
28	paragraph 5, contained in a restricted license issued	
29	under section 39-06-17 or 39-06.1-11	

(7) Except as provided in paragraph 9 of subdivision a, 23 points
knowingly operating an unsafe vehicle in violation of
section 39-21-46, or equivalent ordinance

(8) Fleeing in a motor vehicle from a peace officer in 24 points
violation of section 39-10-71, or equivalent ordinance

(9) Causing an accident with an authorized emergency 2 points
vehicle or a vehicle operated by or under the control
of the director used for maintaining the state highway
system in violation of subsection 5 of section 39-10-26,
or equivalent ordinance

SECTION 3. AMENDMENT. Section 39-09-02 of the North Dakota Century Code is
amended and reenacted as follows:

39-09-02. Speed limitations.

1. Subject to the provisions of section 39-09-01 and except in those instances when a lower speed is specified in this chapter, it presumably is lawful for the driver of a vehicle to drive the same at a speed not exceeding:
 - a. Twenty miles [32.19 kilometers] an hour when approaching within fifty feet [15.24 meters] of a grade crossing of any steam, electric, or street railway when the driver's view is obstructed. A driver's view is deemed to be obstructed when at any time during the last two hundred feet [60.96 meters] of the driver's approach to such crossing, the driver does not have a clear and uninterrupted view of such railway crossing and of any traffic on such railway for a distance of four hundred feet [121.92 meters] in each direction from such crossing.
 - b. Twenty miles [32.19 kilometers] an hour when passing a school during school recess or while children are going to or leaving school during opening or closing hours, unless a lower speed is designated or posted by local authorities.
 - c. Twenty miles [32.19 kilometers] an hour when approaching within fifty feet [15.24 meters] and in traversing an intersection of highways when the driver's view is obstructed. A driver's view is deemed to be obstructed when at any time during the last fifty feet [15.24 meters] of the driver's approach to such intersection, the driver does not have a clear and uninterrupted view of such intersection and of

the traffic upon all of the highways entering such intersection for a distance of two hundred feet [60.96 meters] from such intersection.

- d. Twenty miles [32.19 kilometers] an hour when the driver's view of the highway ahead is obstructed within a distance of one hundred feet [30.48 meters].
- e. Twenty-five miles [40.23 kilometers] an hour on any highway in a business district or in a residence district or in a public park, unless a different speed is designated and posted by local authorities.
- f. Fifty-five miles [88.51 kilometers] an hour on gravel, dirt, or loose surface highways, and on paved two-lane county and township highways if there is no speed limit posted, unless otherwise permitted, restricted, or required by conditions.
- g. Sixty-five miles [104.61 kilometers] an hour on paved two-lane highways if posted for that speed, unless otherwise permitted, restricted, or required by conditions.
- h. Seventy miles [112.65 kilometers] an hour on paved and divided multilane highways, unless otherwise permitted, restricted, or required by conditions.
- i. ~~Seventy-five~~Eighty miles [~~120.70~~128.75 kilometers] an hour on access-controlled, paved and divided, multilane interstate highways, unless otherwise permitted, restricted, or required by conditions.

- 2. The director may designate and post special areas of state highways where lower speed limits apply. Differing limits may be established for different times of the day within highway construction zones which are effective when posted upon appropriate fixed or variable speed limit signs.

- 3. The director may designate variable speed limit adjustment zones along the state highway system. The department may install variable speed limit signs in a variable speed limit adjustment zone. In each variable speed limit adjustment zone the director, in coordination with the superintendent of the highway patrol, may use real time intelligent transportation systems to adjust the speed limit when a speed limit adjustment would provide for the safe and efficient movement of motor vehicles.

- 4. Except as provided by law, ~~it is unlawful for any~~a person ~~to~~may not drive a vehicle ~~upon~~on a highway at a speed that is unsafe or at a speed exceeding the speed limit prescribed by law or established pursuant to law.

4.5. In charging a violation of the provisions of this section, the complaint must specify the speed at which the defendant is alleged to have driven and the speed which this section prescribes is prima facie lawful at the time and place of the alleged offense.

SECTION 4. AMENDMENT. Section 39-09-04 of the North Dakota Century Code is amended and reenacted as follows:

39-09-04. Alteration of maximum speed limits on state highways.

The maximum speed limits specified in section 39-09-02 may be altered on all or any part of the state highway system by an administrative order by the director after holding a public hearing ~~has been held~~. ~~Such~~The determination must be based on engineering and traffic investigations with primary consideration given to the establishment of reasonable and safe speeds, highway conditions, enforcement, and the general welfare. Speed limits established pursuant to under this section ~~shall be~~are effective only when appropriate signs giving notice thereof are erected and ~~such~~the maximum speed limits may be declared ~~to be~~ effective at all times or at ~~such~~the times ~~as are~~ indicated ~~upon said~~on the signs. Differing limits may be established by the director for different times of the day, different types of vehicles, varying weather conditions, and other factors bearing on safe speeds, ~~which shall be~~. Differing limits are effective when posted upon appropriate fixed or variable signs. An administrative order is not required to lower maximum speed limits temporarily due to unsafe conditions.

SECTION 5. AMENDMENT. Section 39-09-07.1 of the North Dakota Century Code is amended and reenacted as follows:

39-09-07.1. Speed zones - Reduction limitation.

1. Except ~~for highway construction zones~~under subsections 2 and 3, ~~no~~ a street, road, or highway in the state highway system or any other township, county, or state road or highway may not be posted in a manner which reduces the maximum speed limit on the street, road, or highway by more than twenty miles [32.19 kilometers] per hour between ~~any~~ two signs ~~so~~ posted in a speed zone.

2. The maximum speed limit reductions between two fixed or variable signs in a variable speed limit adjustment zone may exceed twenty miles [32.18 kilometers] per hour when speed limits are lowered temporarily by the director due to unsafe conditions.

3. The maximum speed limit reduction between ~~any~~ two signs posted in a highway construction zone may not exceed thirty miles [48.28 kilometers] per hour.

1 **SECTION 6. AMENDMENT.** Subsection 2 of section 40-05-06 of the North Dakota Century
2 Code is amended and reenacted as follows:
3 2. For every violation of a city ordinance that regulates the operation or equipment of a
4 motor vehicle or which regulates traffic, except those ordinances listed in section
5 39-06.1-05, a fee may be established, by ordinance, which may exceed, by up to one
6 hundred percent, the limit, for an equivalent category of violation, set forth in section
7 39-06.1-06 except for a violation of a speed limitation.

2025 CONFERENCE COMMITTEE

HB 1298

2025 HOUSE STANDING COMMITTEE MINUTES

Transportation Committee Room JW327E, State Capitol

HB 1298
4/24/2025
Conference Committee

Relating to the amount of statutory fees, points assigned to driving records, speed limitations on multilane highways, variable speed limits, alteration of maximum speed limits on state highways, speed zone reduction limitations, and city fines and penalties; and to provide a penalty.

11:09 a.m. Chairman Koppelman called the meeting to order.

Members Present: Chairman Koppelman, Representatives Dressler, Morton; Chairman Rummel, Senators Hogan, Klein

Discussion Topics:

- Double fees
- Speed limit fees
- Point system schedule
- Variable speed limit signs
- Suspension of driver's license

11:09 a.m. Chairman Rummel explained Senate Amendment LC#25.0496.01003, testimony #45169.

11:28 a.m. Chairman Koppelman would like more information before making any decisions.

11:29 a.m. Chairman Koppelman adjourned the meeting.

Janae Pinks, Committee Clerk

	HB 1298 Amendment		
Speed Limit Fees			
	The amendment is to simplify fee schedules - "\$5 for each mile per hour over the limit"; then eliminate the doubling of fees		
	Current examples of fees:		
	Going 80 mph in a 70 mph zone - \$50 for 10 mph over the speed limit - proposed fee is \$50		
	Going 80 mph in a 65 mph zone - \$45 for 15 mph over the speed limit - proposed fee is \$75		
	Going 80 mph in a 60 mph zone - \$70 for 20 mph over the speed limit - proposed fee is \$100		
	Going 80 mph in a 55 mph zone - \$40 for 25 mph over the speed limit - proposed fee is \$125		
	Going 71 mph in a 25 mph zone - \$100 for 46 mph over the speed limit - proposed fee is \$230		
	Proposed Change in Points assigned to violations used for driver's license suspensions (HB 1298 and SB 2243)		
NDCC	Title	Proposed	Current
39-08-18	Open Container (driver)	3	2
39-08-23	Used a wireless communications device to compose, read, or send electronic message while operating a motor vehicle	3	0
39-08-24	Used an electronic communication device while operating a motor vehicle – Class D license holder at least 16 and under 18	3	0
39-08-25	Failure to maintain control of motor vehicle while distracted	3	0
39-10-04	Disregarded Traffic Control device	3	2
39-10-05	Drove through red light/Failure to yield to pedestrian at a lighted traffic-controlled intersection	3	2
39-10-07	Failure to stop of yield for flashing red light/intersection	3	2
39-10-07	Failure to exercise caution at flashing yellow light/intersection	3	2
39-10-13	Overtook when unsafe	3	2
39-10-15	Overtaking Where Prohibited	3	2
39-10-16(3)	Wrong way on a one way	3	2
39-10-18(1)	Following too close	3	0
39-10-21.1	Drove on closed road during hazardous conditions, when closure was been announced	3	0
39-10-22	Failure to yield at intersection	3	2
39-10-22.1	Failure to yield right of way when entering a freeway	3	2
39-10-23	Turned left in front of approaching traffic	3	2
39-10-24(2)	Failure to yield right of way at intersection marked with a stop sign	3	2
39-10-24(3)	Failure to yield right of way at intersection marked with a yield sign	3	2
39-10-25	Failure to yield entering roadway from any place other than another roadway	3	2
39-10-26	Failure to yield to emergency vehicle or highway maintenance vehicle	3	2
39-10-26(2)	Failure to change lanes for authorized emergency vehicle	3	2
39-10-26(5)	Failure to yield to emergency vehicle and causes an accident	3	2
39-10-28	Failed to yield right of way to pedestrian in crosswalk	3	2
39-10-33.3	Driver failed to yield right of way to blind or visually impaired person	3	2
39-26.3	Failure to yield right of way to stationary motor vehicle with hazard lights	3	0
39-10-44.3	Disregarded Stop Sign	3	2
39-21-41.2	No Child Restraint	3	1
39-21-46(2)	Operated unsafe motor vehicle	3	2
	Interstate I-94 and I-29 speed limit signs will be replaced - they do wear out and are normal maintenance for the NDDOT.		
	Authority granted to install variable speed limit signs in known crash/pile up sites on the interstate system.		

2025 HOUSE STANDING COMMITTEE MINUTES

Transportation Committee Room JW327E, State Capitol

HB 1298
4/25/2025
Conference Committee

Relating to the amount of statutory fees, points assigned to driving records, speed limitations on multilane highways, variable speed limits, alteration of maximum speed limits on state highways, speed zone reduction limitations, and city fines and penalties; and to provide a penalty.

10:30 a.m. Chairman Koppelman called the meeting to order.

Members Present: Chairman Koppelman, Representatives Dressler, Morton; Chairman Rummel, Senators Hogan, Klein

Discussion Topics:

- Points study
- Stackable violations
- Speeding violation fines

10:31 a.m. Chairman Rummel explained ND Highway Patrol Citation Policy, testimony #45195.

10:37 a.m. Representative Dressler presented speeding violation chart, testimony #45191.

11:00 a.m. Chairman Koppelman adjourned the meeting.

Janae Pinks, Committee Clerk

Current Speeding Fines

MPH Over	Speed Limit Zones											School zone with children	Construction zone with workers
	25 mph zone	35 mph zone	45 mph zone	55 mph zone	60 mph zone	65 mph zone	Points	70 mph zone	75 mph zone	80 mph zone	Points		
	Fine	Fine	Fine	Fine	Fine	Fine		Fine	Fine	Fine			
1 mph	\$ 5	\$ 5	\$ 5	\$ 5	\$ 2	\$ 2	0	\$ 5	\$ 5	\$ 5	0	\$ 40	\$ 80
2 mph	\$ 5	\$ 5	\$ 5	\$ 5	\$ 4	\$ 4	0	\$ 10	\$ 10	\$ 10	0	\$ 40	\$ 80
3 mph	\$ 5	\$ 5	\$ 5	\$ 5	\$ 6	\$ 6	0	\$ 15	\$ 15	\$ 15	0	\$ 40	\$ 80
4 mph	\$ 5	\$ 5	\$ 5	\$ 5	\$ 8	\$ 8	0	\$ 20	\$ 20	\$ 20	0	\$ 40	\$ 80
5 mph	\$ 5	\$ 5	\$ 5	\$ 5	\$ 10	\$ 10	0	\$ 25	\$ 25	\$ 25	0	\$ 40	\$ 80
6 mph	\$ 6	\$ 6	\$ 6	\$ 6	\$ 12	\$ 12	0	\$ 30	\$ 30	\$ 30	1	\$ 40	\$ 80
7 mph	\$ 7	\$ 7	\$ 7	\$ 7	\$ 14	\$ 14	0	\$ 35	\$ 35	\$ 35	1	\$ 40	\$ 80
8 mph	\$ 8	\$ 8	\$ 8	\$ 8	\$ 16	\$ 16	0	\$ 40	\$ 40	\$ 40	1	\$ 40	\$ 80
9 mph	\$ 9	\$ 9	\$ 9	\$ 9	\$ 18	\$ 18	0	\$ 45	\$ 45	\$ 45	1	\$ 40	\$ 80
10 mph	\$ 10	\$ 10	\$ 10	\$ 10	\$ 20	\$ 20	0	\$ 50	\$ 50	\$ 50	1	\$ 40	\$ 80
11 mph	\$ 11	\$ 11	\$ 11	\$ 11	\$ 25	\$ 25	1	\$ 55	\$ 55	\$ 55	3	\$ 41	\$ 82
12 mph	\$ 12	\$ 12	\$ 12	\$ 12	\$ 30	\$ 30	1	\$ 60	\$ 60	\$ 60	3	\$ 42	\$ 84
13 mph	\$ 13	\$ 13	\$ 13	\$ 13	\$ 35	\$ 35	1	\$ 65	\$ 65	\$ 65	3	\$ 43	\$ 86
14 mph	\$ 14	\$ 14	\$ 14	\$ 14	\$ 40	\$ 40	1	\$ 70	\$ 70	\$ 70	3	\$ 44	\$ 88
15 mph	\$ 15	\$ 15	\$ 15	\$ 15	\$ 45	\$ 45	1	\$ 75	\$ 75	\$ 75	3	\$ 45	\$ 90
16 mph	\$ 17	\$ 17	\$ 17	\$ 17	\$ 50	\$ 50	3	\$ 80	\$ 80	\$ 80	5	\$ 46	\$ 92
17 mph	\$ 19	\$ 19	\$ 19	\$ 19	\$ 55	\$ 55	3	\$ 85	\$ 85	\$ 85	5	\$ 47	\$ 94
18 mph	\$ 21	\$ 21	\$ 21	\$ 21	\$ 60	\$ 60	3	\$ 90	\$ 90	\$ 90	5	\$ 48	\$ 96
19 mph	\$ 23	\$ 23	\$ 23	\$ 23	\$ 65	\$ 65	3	\$ 95	\$ 95	\$ 95	5	\$ 49	\$ 98
20 mph	\$ 25	\$ 25	\$ 25	\$ 25	\$ 70	\$ 70	3	\$ 100	\$ 100	\$ 100	5	\$ 50	\$ 100
21 mph	\$ 28	\$ 28	\$ 28	\$ 28	\$ 75	\$ 75	5	\$ 105	\$ 105	\$ 105	7	\$ 51	\$ 102
22 mph	\$ 31	\$ 31	\$ 31	\$ 31	\$ 80	\$ 80	5	\$ 110	\$ 110	\$ 110	7	\$ 52	\$ 104
23 mph	\$ 34	\$ 34	\$ 34	\$ 34	\$ 85	\$ 85	5	\$ 115	\$ 115	\$ 115	7	\$ 53	\$ 106
24 mph	\$ 37	\$ 37	\$ 37	\$ 37	\$ 90	\$ 90	5	\$ 120	\$ 120	\$ 120	7	\$ 54	\$ 108
25 mph	\$ 40	\$ 40	\$ 40	\$ 40	\$ 95	\$ 95	5	\$ 125	\$ 125	\$ 125	7	\$ 55	\$ 110
26 mph	\$ 43	\$ 43	\$ 43	\$ 43	\$ 100	\$ 100	9	\$ 130	\$ 130	\$ 130	10	\$ 56	\$ 112
27 mph	\$ 46	\$ 46	\$ 46	\$ 46	\$ 105	\$ 105	9	\$ 135	\$ 135	\$ 135	10	\$ 57	\$ 114
28 mph	\$ 49	\$ 49	\$ 49	\$ 49	\$ 110	\$ 110	9	\$ 140	\$ 140	\$ 140	10	\$ 58	\$ 116
29 mph	\$ 52	\$ 52	\$ 52	\$ 52	\$ 115	\$ 115	9	\$ 145	\$ 145	\$ 145	10	\$ 59	\$ 118
30 mph	\$ 55	\$ 55	\$ 55	\$ 55	\$ 120	\$ 120	9	\$ 150	\$ 150	\$ 150	10	\$ 60	\$ 120
31 mph	\$ 58	\$ 58	\$ 58	\$ 58	\$ 125	\$ 125	9	\$ 155	\$ 155	\$ 155	12	\$ 61	\$ 122
32 mph	\$ 61	\$ 61	\$ 61	\$ 61	\$ 130	\$ 130	9	\$ 160	\$ 160	\$ 160	12	\$ 62	\$ 124
33 mph	\$ 64	\$ 64	\$ 64	\$ 64	\$ 135	\$ 135	9	\$ 165	\$ 165	\$ 165	12	\$ 63	\$ 126
34 mph	\$ 67	\$ 67	\$ 67	\$ 67	\$ 140	\$ 140	9	\$ 170	\$ 170	\$ 170	12	\$ 64	\$ 128
35 mph	\$ 70	\$ 70	\$ 70	\$ 70	\$ 145	\$ 145	9	\$ 175	\$ 175	\$ 175	12	\$ 65	\$ 130
36 mph	\$ 73	\$ 73	\$ 73	\$ 73	\$ 150	\$ 150	12	\$ 180	\$ 180	\$ 180	15	\$ 66	\$ 132
37 mph	\$ 76	\$ 76	\$ 76	\$ 76	\$ 155	\$ 155	12	\$ 185	\$ 185	\$ 185	15	\$ 67	\$ 134
38 mph	\$ 79	\$ 79	\$ 79	\$ 79	\$ 160	\$ 160	12	\$ 190	\$ 190	\$ 190	15	\$ 68	\$ 136
39 mph	\$ 82	\$ 82	\$ 82	\$ 82	\$ 165	\$ 165	12	\$ 195	\$ 195	\$ 195	15	\$ 69	\$ 138
40 mph	\$ 85	\$ 85	\$ 85	\$ 85	\$ 170	\$ 170	12	\$ 200	\$ 200	\$ 200	15	\$ 70	\$ 140
41 mph	\$ 88	\$ 88	\$ 88	\$ 88	\$ 175	\$ 175	12	\$ 205	\$ 205	\$ 205	15	\$ 71	\$ 142
42 mph	\$ 91	\$ 91	\$ 91	\$ 91	\$ 180	\$ 180	12	\$ 210	\$ 210	\$ 210	15	\$ 73	\$ 144
43 mph	\$ 94	\$ 94	\$ 94	\$ 94	\$ 185	\$ 185	12	\$ 215	\$ 215	\$ 215	15	\$ 73	\$ 146
44 mph	\$ 97	\$ 97	\$ 97	\$ 97	\$ 190	\$ 190	12	\$ 220	\$ 220	\$ 220	15	\$ 74	\$ 148
45 mph	\$ 100	\$ 100	\$ 100	\$ 100	\$ 195	\$ 195	12	\$ 225	\$ 225	\$ 225	15	\$ 75	\$ 150
46 mph	\$ 105	\$ 105	\$ 105	\$ 105	\$ 200	\$ 200	15	\$ 230	\$ 230	\$ 230	15	\$ 76	\$ 152
47 mph	\$ 110	\$ 110	\$ 110	\$ 110	\$ 205	\$ 205	15	\$ 235	\$ 235	\$ 235	15	\$ 77	\$ 154
48 mph	\$ 115	\$ 115	\$ 115	\$ 115	\$ 210	\$ 210	15	\$ 240	\$ 240	\$ 240	15	\$ 78	\$ 156
49 mph	\$ 120	\$ 120	\$ 120	\$ 120	\$ 215	\$ 215	15	\$ 245	\$ 245	\$ 245	15	\$ 79	\$ 158
50 mph	\$ 125	\$ 125	\$ 125	\$ 125	\$ 220	\$ 220	15	\$ 250	\$ 250	\$ 250	15	\$ 80	\$ 160
51 mph	\$ 130	\$ 130	\$ 130	\$ 130	\$ 225	\$ 225	15	\$ 255	\$ 255	\$ 255	15	\$ 81	\$ 162
52 mph	\$ 135	\$ 135	\$ 135	\$ 135	\$ 230	\$ 230	15	\$ 260	\$ 260	\$ 260	15	\$ 82	\$ 164
53 mph	\$ 140	\$ 140	\$ 140	\$ 140	\$ 235	\$ 235	15	\$ 265	\$ 265	\$ 265	15	\$ 83	\$ 166
54 mph	\$ 145	\$ 145	\$ 145	\$ 145	\$ 240	\$ 240	15	\$ 270	\$ 270	\$ 270	15	\$ 84	\$ 168
55 mph	\$ 150	\$ 150	\$ 150	\$ 150	\$ 245	\$ 245	15	\$ 275	\$ 275	\$ 275	15	\$ 85	\$ 170

Fines for traveling 80 mph through these speed zones.

Fines for traveling 85 mph through these speed zones.

Fines for traveling 91 mph through these speed zones.

School zone fines when children are present. Jumps to 55 mph and less zone fine schedule at 33 mph over the speed limit because the fine is greater in that schedule.

Construction zone fines when workers are present. Would revert back to the applicable speed limit zone if fine is greater in that zone.

**2025 Session
House Bill 1366**

MPH Over	Speed Limit Zones											School zone with children	Construction zone with workers
	25 mph zone	35 mph zone	45 mph zone	55 mph zone	60 mph zone	65 mph zone	Points	70 mph zone	75 mph zone	80 mph zone	Points		
	Fine	Fine	Fine	Fine	Fine	Fine		Fine	Fine	Fine			
1	\$ 5	\$ 5	\$ 5	\$ 5	\$ 2	\$ 2	0	\$ 5	\$ 5	\$ 5	0	\$ 40	\$ 80
2	\$ 5	\$ 5	\$ 5	\$ 5	\$ 4	\$ 4	0	\$ 10	\$ 10	\$ 10	0	\$ 40	\$ 80
3	\$ 5	\$ 5	\$ 5	\$ 5	\$ 6	\$ 6	0	\$ 15	\$ 15	\$ 15	0	\$ 40	\$ 80
4	\$ 5	\$ 5	\$ 5	\$ 5	\$ 8	\$ 8	0	\$ 20	\$ 20	\$ 20	0	\$ 40	\$ 80
5	\$ 5	\$ 5	\$ 5	\$ 5	\$ 10	\$ 10	0	\$ 25	\$ 25	\$ 25	0	\$ 40	\$ 80
6	\$ 6	\$ 6	\$ 6	\$ 6	\$ 12	\$ 12	0	\$ 30	\$ 30	\$ 30	1	\$ 40	\$ 80
7	\$ 7	\$ 7	\$ 7	\$ 7	\$ 14	\$ 14	0	\$ 35	\$ 35	\$ 35	1	\$ 40	\$ 80
8	\$ 8	\$ 8	\$ 8	\$ 8	\$ 16	\$ 16	0	\$ 40	\$ 40	\$ 40	1	\$ 40	\$ 80
9	\$ 9	\$ 9	\$ 9	\$ 9	\$ 18	\$ 18	0	\$ 45	\$ 45	\$ 45	1	\$ 40	\$ 80
10	\$ 10	\$ 10	\$ 10	\$ 10	\$ 20	\$ 20	0	\$ 50	\$ 50	\$ 50	1	\$ 40	\$ 80
11	\$ 11	\$ 11	\$ 11	\$ 11	\$ 25	\$ 25	1	\$ 55	\$ 55	\$ 55	3	\$ 41	\$ 82
12	\$ 12	\$ 12	\$ 12	\$ 12	\$ 30	\$ 30	1	\$ 60	\$ 60	\$ 60	3	\$ 42	\$ 84
13	\$ 13	\$ 13	\$ 13	\$ 13	\$ 35	\$ 35	1	\$ 65	\$ 65	\$ 65	3	\$ 43	\$ 86
14	\$ 14	\$ 14	\$ 14	\$ 14	\$ 40	\$ 40	1	\$ 70	\$ 70	\$ 70	3	\$ 44	\$ 88
15	\$ 15	\$ 15	\$ 15	\$ 15	\$ 45	\$ 45	1	\$ 75	\$ 75	\$ 75	3	\$ 45	\$ 90
16	\$ 17	\$ 17	\$ 17	\$ 17	\$ 50	\$ 50	3	\$ 80	\$ 180	\$ 180	5	\$ 46	\$ 92
17	\$ 19	\$ 19	\$ 19	\$ 19	\$ 55	\$ 55	3	\$ 85	\$ 185	\$ 185	5	\$ 47	\$ 94
18	\$ 21	\$ 21	\$ 21	\$ 21	\$ 60	\$ 60	3	\$ 90	\$ 190	\$ 190	5	\$ 48	\$ 96
19	\$ 23	\$ 23	\$ 23	\$ 23	\$ 65	\$ 65	3	\$ 95	\$ 195	\$ 195	5	\$ 49	\$ 98
20	\$ 25	\$ 25	\$ 25	\$ 25	\$ 70	\$ 70	3	\$ 100	\$ 200	\$ 200	5	\$ 50	\$ 100
21	\$ 28	\$ 28	\$ 28	\$ 28	\$ 175	\$ 175	5	\$ 205	\$ 205	\$ 205	7	\$ 51	\$ 102
22	\$ 31	\$ 31	\$ 31	\$ 31	\$ 180	\$ 180	5	\$ 210	\$ 210	\$ 210	7	\$ 52	\$ 104
23	\$ 34	\$ 34	\$ 34	\$ 34	\$ 185	\$ 185	5	\$ 215	\$ 215	\$ 215	7	\$ 53	\$ 106
24	\$ 37	\$ 37	\$ 37	\$ 37	\$ 190	\$ 190	5	\$ 220	\$ 220	\$ 220	7	\$ 54	\$ 108
25	\$ 40	\$ 40	\$ 40	\$ 40	\$ 195	\$ 195	5	\$ 225	\$ 225	\$ 225	7	\$ 55	\$ 110
26	\$ 43	\$ 43	\$ 43	\$ 43	\$ 200	\$ 200	9	\$ 230	\$ 230	\$ 230	10	\$ 56	\$ 112
27	\$ 46	\$ 46	\$ 46	\$ 46	\$ 205	\$ 205	9	\$ 235	\$ 235	\$ 235	10	\$ 57	\$ 114
28	\$ 49	\$ 49	\$ 49	\$ 49	\$ 210	\$ 210	9	\$ 240	\$ 240	\$ 240	10	\$ 58	\$ 116
29	\$ 52	\$ 52	\$ 52	\$ 52	\$ 215	\$ 215	9	\$ 245	\$ 245	\$ 245	10	\$ 59	\$ 118
30	\$ 55	\$ 55	\$ 55	\$ 55	\$ 220	\$ 220	9	\$ 250	\$ 250	\$ 250	10	\$ 60	\$ 120
31	\$ 58	\$ 58	\$ 58	\$ 58	\$ 225	\$ 225	9	\$ 255	\$ 255	\$ 255	12	\$ 61	\$ 122
32	\$ 61	\$ 61	\$ 61	\$ 61	\$ 230	\$ 230	9	\$ 260	\$ 260	\$ 260	12	\$ 62	\$ 124
33	\$ 64	\$ 64	\$ 64	\$ 64	\$ 235	\$ 235	9	\$ 265	\$ 265	\$ 265	12	\$ 63	\$ 126
34	\$ 67	\$ 67	\$ 67	\$ 67	\$ 240	\$ 240	9	\$ 270	\$ 270	\$ 270	12	\$ 64	\$ 128
35	\$ 70	\$ 70	\$ 70	\$ 70	\$ 245	\$ 245	9	\$ 275	\$ 275	\$ 275	12	\$ 65	\$ 130
36	\$ 73	\$ 73	\$ 73	\$ 73	\$ 250	\$ 250	12	\$ 280	\$ 280	\$ 280	15	\$ 66	\$ 132
37	\$ 76	\$ 76	\$ 76	\$ 76	\$ 255	\$ 255	12	\$ 285	\$ 285	\$ 285	15	\$ 67	\$ 134
38	\$ 79	\$ 79	\$ 79	\$ 79	\$ 260	\$ 260	12	\$ 290	\$ 290	\$ 290	15	\$ 68	\$ 136
39	\$ 82	\$ 82	\$ 82	\$ 82	\$ 265	\$ 265	12	\$ 295	\$ 295	\$ 295	15	\$ 69	\$ 138
40	\$ 85	\$ 85	\$ 85	\$ 85	\$ 270	\$ 270	12	\$ 300	\$ 300	\$ 300	15	\$ 70	\$ 140
41	\$ 88	\$ 88	\$ 88	\$ 88	\$ 275	\$ 275	12	\$ 305	\$ 305	\$ 305	15	\$ 71	\$ 142
42	\$ 91	\$ 91	\$ 91	\$ 91	\$ 280	\$ 280	12	\$ 310	\$ 310	\$ 310	15	\$ 73	\$ 144
43	\$ 94	\$ 94	\$ 94	\$ 94	\$ 285	\$ 285	12	\$ 315	\$ 315	\$ 315	15	\$ 73	\$ 146
44	\$ 97	\$ 97	\$ 97	\$ 97	\$ 290	\$ 290	12	\$ 320	\$ 320	\$ 320	15	\$ 74	\$ 148
45	\$ 100	\$ 100	\$ 100	\$ 100	\$ 295	\$ 295	12	\$ 325	\$ 325	\$ 325	15	\$ 75	\$ 150
46	\$ 105	\$ 105	\$ 105	\$ 105	\$ 300	\$ 300	15	\$ 330	\$ 330	\$ 330	15	\$ 76	\$ 152
47	\$ 110	\$ 110	\$ 110	\$ 110	\$ 305	\$ 305	15	\$ 335	\$ 335	\$ 335	15	\$ 77	\$ 154
48	\$ 115	\$ 115	\$ 115	\$ 115	\$ 310	\$ 310	15	\$ 340	\$ 340	\$ 340	15	\$ 78	\$ 156
49	\$ 120	\$ 120	\$ 120	\$ 120	\$ 315	\$ 315	15	\$ 345	\$ 345	\$ 345	15	\$ 79	\$ 158
50	\$ 125	\$ 125	\$ 125	\$ 125	\$ 320	\$ 320	15	\$ 350	\$ 350	\$ 350	15	\$ 80	\$ 160
51	\$ 130	\$ 130	\$ 130	\$ 130	\$ 325	\$ 325	15	\$ 355	\$ 355	\$ 355	15	\$ 81	\$ 162
52	\$ 135	\$ 135	\$ 135	\$ 135	\$ 330	\$ 330	15	\$ 360	\$ 360	\$ 360	15	\$ 82	\$ 164
56	\$ 140	\$ 140	\$ 140	\$ 140	\$ 335	\$ 335	15	\$ 365	\$ 365	\$ 365	15	\$ 83	\$ 166
54	\$ 145	\$ 145	\$ 145	\$ 145	\$ 340	\$ 340	15	\$ 370	\$ 370	\$ 370	15	\$ 84	\$ 168
55	\$ 150	\$ 150	\$ 150	\$ 150	\$ 345	\$ 345	15	\$ 375	\$ 375	\$ 375	15	\$ 85	\$ 170

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NORTH DAKOTA HIGHWAY PATROL POLICY MANUAL

	SUBJECT	POLICY NUMBER
		3-1
	ENFORCEMENT POLICY	EFFECTIVE DATE
		5-13-24
	APPLICABLE CALEA STANDARDS	RESCINDS
		3-1
	1.1.3, 1.1.4, 1.2.5, 1.2.6, 1.2.7, 44.2.1, 61.1.2, 61.1.3, 61.1.5, 61.1.12, 61.2.1	DATED
		03-21-24

PURPOSE

Enforcement efforts are designed to create awareness about the consequences of violating the law. The purpose of this policy is to provide guidance in taking enforcement action.

POLICY STATEMENT

Uniform enforcement is a critical element of an effective traffic law enforcement program. The public is less likely to protest when strict enforcement is justly and impartially administered. Enforcement action will be taken upon the detection of the commission of an illegal act, and whenever evidence warrants, against all violators involved in traffic crashes. Potential civil claims or the degree of severity of a crash should not influence the enforcement action unless directed by statute.

The North Dakota Highway Patrol (NDHP) will not impose any quota with respect to the issuance of citations for traffic violations or criminal arrests upon any officer of the agency. As used in this policy statement, "quota" means a specified number of citations for traffic violations or criminal arrests to be issued within a specified period of time. This policy does not prohibit the agency from analyzing traffic citation and criminal arrest data for the evaluation of an employee's work performance, provided such data is not the exclusive means of evaluating such performance.

PROCEDURE

- A. Enforcement action will be taken based on enforcement guidelines established by the NDHP subject to reasonable officer discretion. It is important to maintain a uniform and consistent approach to enforcement across the state.
 1. Reasonable officer discretion allows officers to take the appropriate enforcement action based on each unique set of circumstances. Considerations for using officer discretion include:
 - a. Severity of the violation
 - b. Likelihood of changing driver behavior
 - c. History of similar types of violations
 - d. Other articulable reasons to defer from policy
 2. Across-the-board reductions for certain violations or the regular reduction of serious moving violations is not considered reasonable officer discretion and is prohibited.
- B. Special leniency for nonresident violators is unwarranted in cases involving violations of laws that are similar in all jurisdictions and the commission of which demonstrates a lack of normally prudent operation. Exceptions will be made for nonresidents who violate certain statutes which would not be a violation in their home state, e.g., tinted windows and operator's license classifications.
- C. Enforcement action will be taken against pedestrians violating all applicable provisions of North Dakota Century Code (NDCC) Title 39.
- D. Enforcement action will be taken against juvenile offenders as follows:
 1. Cite to appear in juvenile court for all criminal traffic offenses (i.e., infractions, misdemeanors, and felonies) and all non-traffic criminal offenses.

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2. Cite to appear in district court for all non-criminal traffic offenses (i.e., moving and non-moving violations).
 3. Pursuant to NDCC 39-06.1-02.1, officers will provide the name and address of a juvenile traffic offender's parent or guardian to the court for notification purposes.
 4. Pursuant to NDCC 15.1-24-05, officers will notify schools of certain offenses (see Policy 7-5).
- E. Enforcement action in the form of a citation may be taken against foreign diplomats or consulate members and legislators or members of Congress while in session. Most foreigners who enjoy certain privileges and immunities should possess a diplomatic passport issued by their country containing "diplomatic" on the visa with an "A" or "G" entered by U.S. authorities. Possession of these documents is an indication the bearer might be entitled to privileges and immunities in the U.S. Notify a supervisor in situations calling for a physical arrest.
1. Utilize the following guidelines:
 - a. Court appearance dates should not be scheduled during a legislative session.
 - b. Detainment may not be longer than that needed to issue the citation.
 - c. Driving under the influence (DUI) subjects may be released to a responsible individual.
 2. If a diplomatic or consular officer is cited for a serious traffic violation or involved in a traffic incident or crash, contact the U.S. Department of State Office of Foreign Missions to report the incident. During normal business hours call (202) 895-3521. It is Department of State policy to suspend the operator's license of foreign mission personnel who are not considered to be responsible drivers, and this policy may only be effectively enforced if all driving-related infractions are fully reported to the Department of State.
- F. Whenever an arrest or detention of a foreign national is made:
1. Determine the foreign national's country of nationality.
 - a. This can be done by examining the travel documents that the foreign national may have in their possession.
 - 1) Foreign nationals may be legal or illegal aliens.
 - 2) Foreign nationals may possess resident alien registration (i.e., a green card).
 2. Determine if the foreign national's country is on the "mandatory notification" list. The mandatory notification list can be found on the U.S. Department of State's website at <http://www.travel.state.gov>.
 3. If the foreign national's country is not on the list of mandatory notification countries and jurisdictions:
 - a. Inform the foreign national, without delay, that they may have their consular officials notified of the arrest or detention and may communicate with them.
 - b. If the foreign national requests that consular notification be given, notification must be made to the nearest embassy or consulate of the foreign national's country without delay. Foreign embassy and consulate phone numbers can be found on the Department of State's website listed above.
 4. For purposes of this policy, the term "without delay" normally means within the first 24 hours of detention but no longer than 72 hours.
 5. If the foreign national's country is on the list of mandatory notification countries:
 - a. Notify that country's nearest embassy or consulate, without delay, of the arrest or detention. Foreign embassy and consulate phone numbers can be found on the Department of State's website listed above.
 - b. Advise the foreign national that you are making this notification and inform them, without delay, that they may communicate with their consular officials.
 - 1) This notification must be made even if the foreign national does not want the consular officials notified.
 6. If the person is claiming dual citizenship, both countries may need to be notified.
 - a. A person who is a citizen of the United States and another country may be treated exclusively as a U.S. citizen when in the United States.
 7. Whenever a foreign national is taken into custody and the officer cannot determine whether the foreign national's country is on the list of mandatory notification countries, the officer should contact the U.S. Border Patrol through State Radio for assistance. The officer should inform the Border Patrol of the identity of the subject in custody and where their passport or visa was issued. The Border Patrol may be able to advise if the foreign national's country is on the list of mandatory notification countries.

8. Consular officials must be provided reasonable access to their nationals and permitted to communicate with them.
 9. Compliance with the notification requirement is essential to ensure similar notice is given to U.S. diplomatic and consular officials when U.S. citizens are arrested or detained abroad.
 10. Complete a case/incident report. Document notifications to foreign diplomatic or consular representatives and record those instances when notification is not requested by a detainee.
- G. Military personnel are subject to citation or arrest for traffic violations. When a physical arrest is made, the arresting officer will notify the liaison officer of the nearest military police unit.
- H. Enforcement on Indian Reservations
1. When conducting traffic patrol activities on a reservation, NDHP officers will not take enforcement action on or arrest a member of any federally recognized tribe. Enforcement action includes issuing a citation or written warning for violations of law.
 2. When conducting a traffic stop on a reservation that has an active memorandum of understanding (MOU) with the NDHP, and a driver or other occupant is a member of a federally recognized tribe and is suspected of committing a criminal offense, the officer may detain the individual and request the assistance of the Bureau of Indian Affairs (BIA) or tribal police. If a BIA or tribal officer is not able to respond to the scene, officers may transport the detained or arrested individual to the agency with jurisdiction.
 3. When a suspect is released into the custody of an agency with jurisdiction, the officer will complete an assist other governmental case report.
 4. Enforcement action for non-enrolled members on a reservation will follow the enforcement guidelines in this policy.
 5. Tribal MOU's are located on the NDHP website: <https://www.nd.gov/ndhp/ndhp-about-us/programs-and-special-services/cultural-liaison-officer-program>
- I. Multiple Violations
1. Separate types of violations may be treated as such and citations may be issued for each violation, e.g., speeding, driving without an operator's license, and failing to register a motor vehicle.
 2. Individuals who are arrested for DUI should normally not be charged with other related violations; however, in cases combined with aggravated offenses such as high speed, the officer may issue separate citations.
 3. Good judgment should be exercised when deciding to issue multiple citations. The following are examples of multiple charges that generally should not be issued to the same subject involved in a single incident:
 - a. Multiple registration violations, e.g., displaying a fictitious license plate and operating an unlicensed vehicle.
 - b. Multiple equipment violations, e.g., no seatbelt and no child restraint.
 4. When considering appropriate charges, officers should prioritize criminal offenses over moving violations and moving violations over non-moving violations.
- J. When considering a citation due to noncompliance with a previous warning issued by the NDHP, a violation should be treated as a first offense unless confirmation is obtained that a previous warning or citation was issued for the same offense within the past 12 months or multiple citations or warnings have been issued for the same offense within the past 36 months.
1. If an individual fails to correct equipment violations, a memo on department letterhead may be sent to the North Dakota Department of Transportation requesting revocation of the vehicle's registration. This step should only be taken if at least three citations or warnings have been issued for a safety-related hazard on the same vehicle.
- K. The chief of operations will notify officers about the proper enforcement action to be taken upon the passage of a new law that impacts field operations.
- L. During traffic stops, crash investigations, or inspections involving commercial motor vehicle drivers, employees must check commercial driver's license status through the Commercial Driver License Information System (CDLIS), Query Central, or the National Law Enforcement Telecommunications

System (NLETS). Reference FMCSR Part 350.211 (15).

M. Minor Zero Tolerance (MZT)

1. MZT will be enforced on minor drivers between the ages of 18 and 20 years old with an alcohol concentration from .02% to .07%.
2. The minor driver should be cited with consuming or possessing alcohol and detained.
3. The minor driver should be read their Miranda Warning along with the Implied Consent Advisory.
4. A chemical test should be requested.
5. After the chemical test has been completed, or upon refusal to take the test, the report and notice form will be completed.

N. DUI Refusal

1. Driving or being in actual physical control of a vehicle while under the influence of an intoxicating liquor or drug and refusing to submit to a chemical test are separate offenses.
 - a. An individual should be charged with both DUI and refusal if the driver has been arrested for DUI and refuses to submit to chemical testing.

O. Weather-Related Enforcement

1. NDHP officers should exercise discretion when determining appropriate enforcement action due to weather conditions (e.g., when a vehicle slides off the roadway during inclement weather). Officers should be able to articulate a lack of reasonableness or a disregard for safety (e.g., excessive speed, passing on a slush-covered roadway, etc.) prior to taking enforcement action.

P. Enforcement Guidelines

1. Generally, the following guidelines will be adhered to by NDHP officers when taking enforcement action.

NDCC	VIOLATION	WARNING	ARREST OR CITATION
39-04-11	Display of current license plates or tabs	Obscured, mutilated, lost, one plate, or first 30 days after registration due	Failure to comply with warning
39-04-22	Exceed registered gross weight with legal axles and bridge	2,000 lbs or less	Over 2,000 lbs
39-04-37 (1)	Registration requirements	If previously registered in ND, within 30 days after registration is due	If expired more than 30 days
39-04-37 (2-5)	Registration requirements		Any violation
39-04-37 (6)	Gainful employment	Officer discretion	Officer discretion
39-04-55	Fail to carry registration card in vehicle	Officer discretion	Multiple warnings verified by the records management system (RMS)
39-05-17	Transfer of title of vehicle		Any violation

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NDCC	VIOLATION	WARNING	ARREST OR CITATION
39-05-27	Used car dealer to have title or documentary evidence of ownership		Any violation
39-05-28	Defacing, destroying, or altering engine, serial, or identification numbers		Any violation
39-06-01	Drove without operator's license	Up to 30 days expired	After 30 days or never had operator's license
39-06-01	Fail to obtain ND operator's license after living in the state for 90 consecutive days (cited under 39-06-01)	Up to 30 days beyond establishing residency	After 30 days
39-06-04	Instruction permit		Any violation
39-06-14	Drove vehicle without proper class license		Any violation
39-06-16	Fail to have operator's license in possession	Upon record verification	No record verification, multiple warnings, or failure to exhibit upon demand
39-06-17	Violated operator's license restrictions		Any violation
39-06-20	Fail to give notice of name or address change (military personnel and college students should be considered exempt)	Officer discretion	Multiple warnings verified by RMS
39-06-40	Unlawful use of operator's license		Any violation
39-06-40.1	Reproducing operator's license or permit		Any violation
39-06-42	Driving while license suspended or revoked		Any violation
39-06-44	Permitting unauthorized minor to drive		Any violation
39-06-45	Permitting unauthorized person to drive		Any violation

Effective date: 5-13-24

NDCC	VIOLATION	WARNING	ARREST OR CITATION
39-07-12	Garages fail to report damaged vehicles (reportable crash)		Any attempt to thwart or impede justice
39-07-13	Wrecker and towing service fails to report damaged vehicles (reportable crash or struck by a bullet)		Any attempt to thwart or impede justice
39-08-01	Drove while under the influence of liquor or drugs		Any violation
39-08-03	Reckless driving		Any violation
39-08-03.1	Exhibition driving		Any violation
39-08-03.1	Racing/drag racing		Any violation
39-08-04	Leaving the scene of an injury or fatality crash		Any violation
39-08-05	Leaving the scene of a property damage crash		Any violation
39-08-06	Duty to give information		Any violation
39-08-07	Fail to stop after striking unattended vehicle		Any violation
39-08-08	Leaving the scene of a fixed object crash		Any violation
39-08-09	Fail to give immediate notice of reportable crash (animal/vehicle exempt)		Any violation
39-08-18	Open container in or on vehicle		Any violation
39-08-20	Drove without liability insurance	Officer has reason to believe there is insurance	Any violation or involved in crash

Effective date: 5-13-24

NDCC	VIOLATION	WARNING	ARREST OR CITATION
39-08-20.2	Failure to provide liability insurance for special mobile equipment	10 days to provide proof of insurance	If proof is not provided within 10 days
39-08-23	Composing, reading, or sending an electronic message		Any violation
39-08-24	Minor talking, composing, reading, or sending an electronic message		Any violation
39-08-25	Failure to maintain control	Officer Discretion	Any violation
39-09-01	Careless driving		Any violation
39-09-01.1	Care required	Officer discretion	Any violation or previous warning
39-09-02	Exceed speed limit - 65 zone and less	1-9 mph	10 mph or more above speed limit
39-09-02	Exceed speed limit - 70 zone and above	1 to 4 mph	5 mph or more above speed limit
39-09-02 (1b)	Exceeded speed limit in school zone	1 to 4 mph	5 mph or more above speed limit
39-09-02 (2)	Exceeded speed limit in construction zone	1 to 4 mph	5 mph or more above speed limit and workers present
39-09-04.1	Special speed limitations	5 to 9 mph	10 mph or more above speed limit
39-09-09	Impeding traffic	Driver fails to intermittently pull over to let traffic go by	Severely impedes traffic over an extended period of time
39-10-02 through 39-10-43	General rules of the road	Officer discretion	Any violation
39-10-44	Disregard stop sign	Slowed to walk	Violated at faster than a walk or impeded traffic

Effective date: 5-13-24

NDCC	VIOLATION	WARNING	ARREST OR CITATION
39-10-45	Emerging from alley	Officer discretion	Any violation
39-10-46 (1)	Overtook or passed stopped school bus while loading or unloading		Any violation
39-10-46 (4)	Operating signs/signals on school bus other than transportation of children	Officer discretion	Any violation
39-10-46.1	Permitting use of vehicle to violate the overtaking and passing of school bus section		Any violation
39-10-47 through 39-10-51.1	Parking restrictions	Officer discretion	Any violation
39-10-52 through 39-10-65	General rules of the road	Officer discretion	Any violation
39-10-67	Moving heavy equipment at railroad crossing	Officer discretion	Any violation
39-10-68	Stop when traffic obstructed	Officer discretion	Any violation
39-10-71	Eluding police officer in a motor vehicle		Any violation
39-10-72	Disrupting funeral procession	Officer discretion	Any violation
39-10-74	Motor vehicle platoons	Officer discretion	Any violation
39-10.1	Bicycles	Officer discretion	Any violation
39-10.2	Motorcycles	Officer discretion	Any violation
39-12	Size, width, and height restrictions		Refer to Policy 9-22

NDCC	VIOLATION	WARNING	ARREST OR CITATION
39-18-03	Licensing of mobile homes and travel trailers	Officer discretion	Any violation
39-18-04	Safety devices	Officer discretion	Any violation
39-19-03	Reciprocal use of highways (no trip permit)		Refer to Policy 9-22
39-21	Equipment violations	Officer discretion	Any violation/failure to comply with warning
39-21-41.4	No seatbelt	Extenuating circumstances	Any violation/only cite the driver (CMVs included)
39-21-46 (3)	Motor carrier and FMCSA regulations		Refer to Policy 9-22
39-24	Snowmobile regulations	Officer discretion	Any violation
39-27	Motorcycle regulations	Officer discretion	Any violation
39-29	Off highway vehicle regulations	Officer discretion	Any violation
39-31	Common household goods carriers	Officer discretion	Any violation
5-1	Alcoholic beverage violations (minors)		Any violation
12.1	Criminal code		Any violation
Title 24	Highways, bridges, and ferries		Any violation
57-40.3	Motor vehicle excise tax		Any violation

Effective date: 5-13-24

2025 HOUSE STANDING COMMITTEE MINUTES

Transportation Committee Room JW327E, State Capitol

HB 1298
4/25/2025
Conference Committee

Relating to the amount of statutory fees, points assigned to driving records, speed limitations on multilane highways, variable speed limits, alteration of maximum speed limits on state highways, speed zone reduction limitations, and city fines and penalties; and to provide a penalty.

3:10 p.m. Chairman Koppelman called the meeting to order.

Members Present: Chairman Koppelman, Representatives Dressler, Morton; Chairman Rummel, Senators Hogan, Klein

Discussion Topics:

- Minnesota speeding fines
- Dollars per mile
- Speeding fines study
- Double fines

3:11 p.m. Chairman Rummel, District 37, provided documentation regarding speeding violation fines, testimony #45196.

3:17 p.m. Representative Morton, District, proposed amendment LC#25.0946.01007 and LC#25.0946.01006, testimony #45197 and #45198.

3:29 p.m. Chairman Koppelman adjourned the meeting.

Janae Pinks, Committee Clerk

Speeding Fines

MPH Over	North Dakota Speeding Fines						South Dakota Speeding Fines
	25 mph to 55 mph zone	25 mph to 55 mph zone (city doubled)	60 and 65 mph zone	70 mph and over zone	School zone with children	Construction zone with workers	All Speed Zones
	Fine	Fine + Fee	Fine	Fine	Fine	Fine	Fine + Fee
1 mph	\$ 5	\$ 10	\$ 2	\$ 5	\$ 40	\$ 150	\$ 97.50
2 mph	\$ 5	\$ 10	\$ 4	\$ 10	\$ 40	\$ 150	\$ 97.50
3 mph	\$ 5	\$ 10	\$ 6	\$ 15	\$ 40	\$ 150	\$ 97.50
4 mph	\$ 5	\$ 10	\$ 8	\$ 20	\$ 40	\$ 150	\$ 97.50
5 mph	\$ 5	\$ 10	\$ 10	\$ 25	\$ 40	\$ 150	\$ 97.50
6 mph	\$ 6	\$ 12	\$ 12	\$ 30	\$ 40	\$ 150	\$ 117.50
7 mph	\$ 7	\$ 14	\$ 14	\$ 35	\$ 40	\$ 150	\$ 117.50
8 mph	\$ 8	\$ 16	\$ 16	\$ 40	\$ 40	\$ 150	\$ 117.50
9 mph	\$ 9	\$ 18	\$ 18	\$ 45	\$ 40	\$ 150	\$ 117.50
10 mph	\$ 10	\$ 20	\$ 20	\$ 50	\$ 40	\$ 150	\$ 117.50
11 mph	\$ 11	\$ 22	\$ 25	\$ 55	\$ 41	\$ 152	\$ 137.50
12 mph	\$ 12	\$ 24	\$ 30	\$ 60	\$ 42	\$ 154	\$ 137.50
13 mph	\$ 13	\$ 26	\$ 35	\$ 65	\$ 43	\$ 156	\$ 137.50
14 mph	\$ 14	\$ 28	\$ 40	\$ 70	\$ 44	\$ 158	\$ 137.50
15 mph	\$ 15	\$ 30	\$ 45	\$ 75	\$ 45	\$ 160	\$ 137.50
16 mph	\$ 17	\$ 34	\$ 50	\$ 80	\$ 46	\$ 162	\$ 157.50
17 mph	\$ 19	\$ 38	\$ 55	\$ 85	\$ 47	\$ 164	\$ 157.50
18 mph	\$ 21	\$ 42	\$ 60	\$ 90	\$ 48	\$ 166	\$ 157.50
19 mph	\$ 23	\$ 46	\$ 65	\$ 95	\$ 49	\$ 168	\$ 157.50
20 mph	\$ 25	\$ 50	\$ 70	\$ 100	\$ 50	\$ 170	\$ 157.50
21 mph	\$ 28	\$ 56	\$ 75	\$ 105	\$ 51	\$ 172	\$ 177.50
22 mph	\$ 31	\$ 62	\$ 80	\$ 110	\$ 52	\$ 174	\$ 177.50
23 mph	\$ 34	\$ 68	\$ 85	\$ 115	\$ 53	\$ 176	\$ 177.50
24 mph	\$ 37	\$ 74	\$ 90	\$ 120	\$ 54	\$ 178	\$ 177.50
25 mph	\$ 40	\$ 80	\$ 95	\$ 125	\$ 55	\$ 180	\$ 177.50
26 mph	\$ 43	\$ 86	\$ 100	\$ 130	\$ 56	\$ 182	\$ 232.50
27 mph	\$ 46	\$ 92	\$ 105	\$ 135	\$ 57	\$ 184	\$ 232.50
28 mph	\$ 49	\$ 98	\$ 110	\$ 140	\$ 58	\$ 186	\$ 232.50
29 mph	\$ 52	\$ 104	\$ 115	\$ 145	\$ 59	\$ 188	\$ 232.50
30 mph	\$ 55	\$ 110	\$ 120	\$ 150	\$ 60	\$ 190	\$ 232.50

	25 mph to 55 mph zone	25 mph to 55 mph zone (city doubled)	60 and 65 mph zone	70 mph and over zone	School zone with children	Construction zone with workers	All Speed Zones
MPH Over	Fine	Fine + Fee	Fine	Fine	Fine	Fine	Fine + Fee
31 mph	\$ 58	\$ 116	\$ 125	\$ 155	\$ 61	\$ 192	\$ 232.50
32 mph	\$ 61	\$ 122	\$ 130	\$ 160	\$ 62	\$ 194	\$ 232.50
33 mph	\$ 64	\$ 128	\$ 135	\$ 165	\$ 63	\$ 196	\$ 232.50
34 mph	\$ 67	\$ 134	\$ 140	\$ 170	\$ 64	\$ 198	\$ 232.50
35 mph	\$ 70	\$ 140	\$ 145	\$ 175	\$ 65	\$ 200	\$ 232.50
36 mph	\$ 73	\$ 146	\$ 150	\$ 180	\$ 66	\$ 202	\$ 232.50
37 mph	\$ 76	\$ 152	\$ 155	\$ 185	\$ 67	\$ 204	\$ 232.50
38 mph	\$ 79	\$ 158	\$ 160	\$ 190	\$ 68	\$ 206	\$ 232.50
39 mph	\$ 82	\$ 164	\$ 165	\$ 195	\$ 69	\$ 208	\$ 232.50
40 mph	\$ 85	\$ 170	\$ 170	\$ 200	\$ 70	\$ 210	\$ 232.50
41 mph	\$ 88	\$ 176	\$ 175	\$ 205	\$ 71	\$ 212	\$ 232.50
42 mph	\$ 91	\$ 182	\$ 180	\$ 210	\$ 73	\$ 214	\$ 232.50
43 mph	\$ 94	\$ 188	\$ 185	\$ 215	\$ 73	\$ 216	\$ 232.50
44 mph	\$ 97	\$ 194	\$ 190	\$ 220	\$ 74	\$ 218	\$ 232.50
45 mph	\$ 100	\$ 200	\$ 195	\$ 225	\$ 75	\$ 220	\$ 232.50
46 mph	\$ 105	\$ 210	\$ 200	\$ 230	\$ 76	\$ 222	\$ 232.50
47 mph	\$ 110	\$ 220	\$ 205	\$ 235	\$ 77	\$ 224	\$ 232.50
48 mph	\$ 115	\$ 230	\$ 210	\$ 240	\$ 78	\$ 226	\$ 232.50
49 mph	\$ 120	\$ 240	\$ 215	\$ 245	\$ 79	\$ 228	\$ 232.50
50 mph	\$ 125	\$ 250	\$ 220	\$ 250	\$ 80	\$ 230	\$ 232.50
51 mph	\$ 130	\$ 260	\$ 225	\$ 255	\$ 81	\$ 232	\$ 232.50
52 mph	\$ 135	\$ 270	\$ 230	\$ 260	\$ 82	\$ 234	\$ 232.50
53 mph	\$ 140	\$ 280	\$ 235	\$ 265	\$ 83	\$ 236	\$ 232.50
54 mph	\$ 145	\$ 290	\$ 240	\$ 270	\$ 84	\$ 238	\$ 232.50
55 mph	\$ 150	\$ 300	\$ 245	\$ 275	\$ 85	\$ 240	\$ 232.50

N.D.C.C. § 40-05-06 allows a city to adopt an ordinance adding a fee of up to 100% the fine for speeding violations.

School zone fines when childred are present. Would revert back to the applicable speed limit zone if fine is greater in that zone.

Fines reflect construction zone fines effective August 1, 2025, as passed in SB 2193. Construction zone fines when workers are present. Would revert back to the applicable speed limit zone if fine is greater in that zone.

South Dakota adds a mandatory \$78.50 fee for speeding violations
(https://ujs.sd.gov/media/gt5lb1gn/fine_and_bond_schedule.pdf)

25.0496.01007
Title.

Prepared by the Legislative Council
staff for Representative Morton
April 25, 2025

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO

HOUSE BILL NO. 1298

Introduced by

Representatives Koppelman, Louser, Murphy, Pyle, Schneider, Vetter, Grueneich

Senators Cory, Meyer, Paulson, Roers

In place of amendment (25.0496.01003) adopted by the Senate, House Bill No. 1298 is amended by amendment (25.0496.01007) as follows:

1 A BILL ~~for an Act to amend and reenact subdivision i of subsection 1 of section 39-09-02 of the~~
2 ~~North Dakota Century Code, relating to speed limitations on multilane highways; and to provide~~
3 ~~a penalty for an Act to amend and reenact sections 39-06.1-06, 39-09-02, 39-09-04, and~~
4 ~~39-09-07.1, and subsection 2 of section 40-05-06 of the North Dakota Century Code, relating to~~
5 ~~the amount of statutory fees, speed limitations on multilane highways, variable speed limits,~~
6 ~~alteration of maximum speed limits on state highways, speed zone reduction limitations, and~~
7 ~~city fines and penalties; to provide for a legislative management study; and to provide a penalty.~~

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

9 ~~— **SECTION 1. AMENDMENT.** Subdivision i of subsection 1 of section 39-09-02 of the North~~
10 ~~Dakota Century Code is amended and reenacted as follows:~~

11 ~~— **i.** Seventy-five ~~Eighty~~ miles [120.70 ~~128.75~~ kilometers] an hour on~~
12 ~~access-controlled, paved and divided, multilane interstate highways, unless~~
13 ~~otherwise permitted, restricted, or required by conditions.~~

14 **SECTION 1. AMENDMENT.** Section 39-06.1-06 of the North Dakota Century Code is
15 amended and reenacted as follows:

16 **39-06.1-06. Amount of statutory fees.**

17 The fees required for a noncriminal disposition under section 39-06.1-02 or 39-06.1-03 must
18 be as follows:

19 1. For a nonmoving violation as defined in section 39-06.1-08, a fee of twenty dollars
20 except for a violation of any traffic parking regulation on any state charitable or penal

institution property or on the state capitol grounds, a fee in the amount of five dollars, excluding a violation of subsection 11 of section 39-01-15.

2. For a moving violation as defined in section 39-06.1-09, a fee of twenty dollars, except for:

a. A violation of section 39-10-26, 39-10-26.2, 39-10-41, or 39-10-42, a fee of fifty dollars.

b. A violation of section 39-10-05 involving failure to yield to a pedestrian or subsection 1 of section 39-10-28, a fee of fifty dollars.

c. A violation of section 39-21-41.2, a fee of twenty-five dollars.

d. A violation of subsection 1 of section 39-12-02, section 39-08-23, or section 39-08-25, a fee of one hundred dollars.

e. A violation of subdivision d of subsection 1 of section 39-12-04, a fee of one hundred dollars.

f. A violation of subsection 6 of section 39-04-37, a fee of one hundred dollars.

g. A violation of subsection 2 of section 39-10-21.1, a fee of two hundred fifty dollars.

h. A violation of section 39-10-59, a fee of five hundred dollars.

i. A violation of section 39-09-01, a fee of thirty dollars.

j. A violation of section 39-09-01.1, a fee of thirty dollars.

k. A violation of section 39-10-46 or 39-10-46.1, a fee of one hundred dollars.

l. A violation of subsection 1 of section 39-08-20, one hundred fifty dollars for a first violation and three hundred dollars for a second or subsequent violation in three years.

m. A violation of section 39-10-24 or 39-10-44, a fee of forty dollars.

n. A violation of section 39-10-50.1, a fee of fifty dollars.

o. A violation of section 39-19-03, a fee of fifty dollars.

3. For a violation of section 39-21-44 or a rule adopted under that section, a fee of two hundred fifty dollars.

4. Except as provided in ~~subsections 5 and 7~~ subsection 6, for a violation of section 39-09-02, or an equivalent ordinance, a fee established as follows:

Miles per hour over

lawful speed limit	Fee
1 - 5	\$ 5
6 - 10	\$ 5 plus \$1 ² /each mph over 5 mph over limit
11 - 15	\$ 10 plus \$1/each mph over 10 mph over limit
16 - 20	\$ 15 plus \$2/each mph over 15 mph over limit
21 - 25	\$ 25 plus \$3/each mph over 20 mph over limit
26 - 35	\$ 40 plus \$3/each mph over 25 mph over limit
36 - 45	\$ 70 plus \$3/each mph over 35 mph over limit
46 +	\$100 ²⁰ plus \$5/each mph over 45 ¹⁰ mph over limit

~~5. On a highway on which the speed limit is a speed higher than fifty-five miles [88.51 kilometers] an hour, for a violation of section 39-09-02, or an equivalent ordinance, a fee established as follows:~~

Miles per hour over	Fee
lawful speed limit	Fee
1 - 10	\$2/each mph over limit
11 +	\$20 plus \$5/each mph over 10 mph over limit

~~6.5.~~ For a violation of section 39-06.2-10.9 or subsection 3 of section 39-21-46, a fee established as follows:

- a. Driving more than eleven hours since the last ten hours off duty, driving after fourteen hours on duty since the last ten hours off duty, driving after sixty hours on duty in seven days or seventy hours in eight days, no record of duty status or log book in possession, failing to retain previous seven-day record of duty status or log book, or operating a vehicle with four to six out-of-service defects, one hundred dollars;
- b. False record of duty status or log book or operating a vehicle with seven to nine out-of-service defects, two hundred fifty dollars;
- c. Operating a vehicle after driver placed out of service, operating a vehicle with ten or more out-of-service defects, or operating a vehicle that has been placed out of service prior to its repair, five hundred dollars; and
- d. All other violations of motor carrier safety rules adopted under subsection 3 of section 39-21-46, fifty dollars.

~~7.6.~~ On a highway on which the speed limit is posted in excess of sixty-five miles [104.61 kilometers] an hour, for a violation of section 39-09-02, or equivalent ordinance, a fee of five dollars for each mile per hour over the limit.

~~8.7.~~ For a violation of a school zone speed limit under subdivision b of subsection 1 of section 39-09-02, a fee of forty dollars for one through ten miles per hour over the posted speed; and forty dollars, plus one dollar for each additional mile per hour over ten miles per hour over the limit unless a greater fee would be applicable under this section.

~~9.8.~~ For a violation of a highway construction zone speed limit under subsection 2 of section 39-09-02, a fee of eighty dollars for one through ten miles per hour over the posted speed; and eighty dollars plus two dollars for each mile per hour over ten miles per hour over the limit, unless a greater fee would be applicable under this section. The fee in this subsection does not apply to a highway construction zone unless individuals engaged in construction are present at the time and place of the violation and the posted speed limit sign states "Minimum Fee \$80".

SECTION 2. AMENDMENT. Section 39-09-02 of the North Dakota Century Code is amended and reenacted as follows:

39-09-02. Speed limitations.

1. Subject to the provisions of section 39-09-01 and except in those instances when a lower speed is specified in this chapter, it presumably is lawful for the driver of a vehicle to drive the same at a speed not exceeding:
 - a. Twenty miles [32.19 kilometers] an hour when approaching within fifty feet [15.24 meters] of a grade crossing of any steam, electric, or street railway when the driver's view is obstructed. A driver's view is deemed to be obstructed when at any time during the last two hundred feet [60.96 meters] of the driver's approach to such crossing, the driver does not have a clear and uninterrupted view of such railway crossing and of any traffic on such railway for a distance of four hundred feet [121.92 meters] in each direction from such crossing.
 - b. Twenty miles [32.19 kilometers] an hour when passing a school during school recess or while children are going to or leaving school during opening or closing hours, unless a lower speed is designated or posted by local authorities.

- c. Twenty miles [32.19 kilometers] an hour when approaching within fifty feet [15.24 meters] and in traversing an intersection of highways when the driver's view is obstructed. A driver's view is deemed to be obstructed when at any time during the last fifty feet [15.24 meters] of the driver's approach to such intersection, the driver does not have a clear and uninterrupted view of such intersection and of the traffic upon all of the highways entering such intersection for a distance of two hundred feet [60.96 meters] from such intersection.
 - d. Twenty miles [32.19 kilometers] an hour when the driver's view of the highway ahead is obstructed within a distance of one hundred feet [30.48 meters].
 - e. Twenty-five miles [40.23 kilometers] an hour on any highway in a business district or in a residence district or in a public park, unless a different speed is designated and posted by local authorities.
 - f. Fifty-five miles [88.51 kilometers] an hour on gravel, dirt, or loose surface highways, and on paved two-lane county and township highways if there is no speed limit posted, unless otherwise permitted, restricted, or required by conditions.
 - g. Sixty-five miles [104.61 kilometers] an hour on paved two-lane highways if posted for that speed, unless otherwise permitted, restricted, or required by conditions.
 - h. Seventy miles [112.65 kilometers] an hour on paved and divided multilane highways, unless otherwise permitted, restricted, or required by conditions.
 - i. ~~Seventy-five~~Eighty miles [~~120.70~~128.75 kilometers] an hour on access-controlled, paved and divided, multilane interstate highways, unless otherwise permitted, restricted, or required by conditions.
2. The director may designate and post special areas of state highways where lower speed limits apply. Differing limits may be established for different times of the day within highway construction zones which are effective when posted upon appropriate fixed or variable speed limit signs.
3. The director may designate variable speed limit adjustment zones along the state highway system. The department may install variable speed limit signs in a variable speed limit adjustment zone. In each variable speed limit adjustment zone the director, in coordination with the superintendent of the highway patrol, may use real time

intelligent transportation systems to adjust the speed limit when a speed limit adjustment would provide for the safe and efficient movement of motor vehicles.

4. Except as provided by law, ~~it is unlawful for any~~a person ~~to~~may not drive a vehicle ~~upon~~on a highway at a speed that is unsafe or at a speed exceeding the speed limit prescribed by law or established pursuant to law.

4.5. In charging a violation of the provisions of this section, the complaint must specify the speed at which the defendant is alleged to have driven and the speed which this section prescribes is prima facie lawful at the time and place of the alleged offense.

SECTION 3. AMENDMENT. Section 39-09-04 of the North Dakota Century Code is amended and reenacted as follows:

39-09-04. Alteration of maximum speed limits on state highways.

The maximum speed limits specified in section 39-09-02 may be altered on all or any part of the state highway system by an administrative order by the director after holding a public hearing ~~has been held~~. ~~Such~~The determination must be based on engineering and traffic investigations with primary consideration given to the establishment of reasonable and safe speeds, highway conditions, enforcement, and the general welfare. Speed limits established ~~pursuant to~~under this section ~~shall be~~are effective only when appropriate signs giving notice ~~thereof~~ are erected and ~~such~~the maximum speed limits may be declared ~~to be~~ effective at all times or at ~~such~~the times ~~as are~~ indicated ~~upon said~~on the signs. Differing limits may be established by the director for different times of the day, different types of vehicles, varying weather conditions, and other factors bearing on safe speeds, ~~which shall be~~. Differing limits are effective when posted upon appropriate fixed or variable signs. An administrative order is not required to lower maximum speed limits temporarily due to unsafe conditions.

SECTION 4. AMENDMENT. Section 39-09-07.1 of the North Dakota Century Code is amended and reenacted as follows:

39-09-07.1. Speed zones - Reduction limitation.

1. Except ~~for highway construction zones~~under subsections 2 and 3, ~~no~~a street, road, or highway in the state highway system or any other township, county, or state road or highway may not be posted in a manner which reduces the maximum speed limit on the street, road, or highway by more than twenty miles [32.19 kilometers] per hour between ~~any~~ two signs ~~so~~ posted in a speed zone.

2. The maximum speed limit reductions between two fixed or variable signs in a variable speed limit adjustment zone may exceed twenty miles [32.19 kilometers] per hour when speed limits are lowered temporarily by the director due to unsafe conditions.

3. The maximum speed limit reduction between ~~any~~ two signs posted in a highway construction zone may not exceed thirty miles [48.28 kilometers] per hour.

SECTION 5. AMENDMENT. Subsection 2 of section 40-05-06 of the North Dakota Century Code is amended and reenacted as follows:

2. For every violation of a city ordinance that regulates the operation or equipment of a motor vehicle or which regulates traffic, except those ordinances listed in section 39-06.1-05, a fee may be established, by ordinance, which may exceed, by up to one hundred percent, the limit, for an equivalent category of violation, set forth in section 39-06.1-06 except for a violation of a speed limitation.

SECTION 6. LEGISLATIVE MANAGEMENT STUDY - DRIVERS LICENSE POINTS - TRAFFIC FEE SCHEDULE. During the 2025-26 interim, the legislative management shall consider studying the drivers license points system and traffic fee schedule in chapter 39-06.1. The study must include a review of the current points system and fee system, and consideration of the severity of violations along with the point and fee values assigned to violations. The legislative management shall report its findings and recommendations, together with any legislation necessary to implement the recommendations, to the seventieth legislative assembly.

25.0496.01006
Title.

Prepared by the Legislative Council
staff for Representative Morton
April 25, 2025

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO

HOUSE BILL NO. 1298

Introduced by

Representatives Koppelman, Louser, Murphy, Pyle, Schneider, Vetter, Grueneich

Senators Cory, Meyer, Paulson, Roers

In place of amendment (25.0496.01003) adopted by the Senate, House Bill No. 1298 is amended by amendment (25.0496.01006) as follows:

1 A BILL ~~for an Act to amend and reenact subdivision i of subsection 1 of section 39-09-02 of the~~
2 ~~North Dakota Century Code, relating to speed limitations on multilane highways; and to provide~~
3 ~~a penalty for an Act to amend and reenact sections 39-06.1-06, 39-09-02, 39-09-04, and~~
4 ~~39-09-07.1, and subsection 2 of section 40-05-06 of the North Dakota Century Code, relating to~~
5 ~~the amount of statutory fees, speed limitations on multilane highways, variable speed limits,~~
6 ~~alteration of maximum speed limits on state highways, speed zone reduction limitations, and~~
7 ~~city fines and penalties; to provide for a legislative management study; and to provide a penalty.~~

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

9 ~~— **SECTION 1. AMENDMENT.** Subdivision i of subsection 1 of section 39-09-02 of the North~~
10 ~~Dakota Century Code is amended and reenacted as follows:~~

11 ~~— **i.** Seventy-fiveEighty miles [120.70128.75 kilometers] an hour on~~
12 ~~access-controlled, paved and divided, multilane interstate highways, unless~~
13 ~~otherwise permitted, restricted, or required by conditions.~~

14 **SECTION 1. AMENDMENT.** Section 39-06.1-06 of the North Dakota Century Code is
15 amended and reenacted as follows:

16 **39-06.1-06. Amount of statutory fees.**

17 The fees required for a noncriminal disposition under section 39-06.1-02 or 39-06.1-03 must
18 be as follows:

19 1. For a nonmoving violation as defined in section 39-06.1-08, a fee of twenty dollars
20 except for a violation of any traffic parking regulation on any state charitable or penal

institution property or on the state capitol grounds, a fee in the amount of five dollars, excluding a violation of subsection 11 of section 39-01-15.

2. For a moving violation as defined in section 39-06.1-09, a fee of twenty dollars, except for:

a. A violation of section 39-10-26, 39-10-26.2, 39-10-41, or 39-10-42, a fee of fifty dollars.

b. A violation of section 39-10-05 involving failure to yield to a pedestrian or subsection 1 of section 39-10-28, a fee of fifty dollars.

c. A violation of section 39-21-41.2, a fee of twenty-five dollars.

d. A violation of subsection 1 of section 39-12-02, section 39-08-23, or section 39-08-25, a fee of one hundred dollars.

e. A violation of subdivision d of subsection 1 of section 39-12-04, a fee of one hundred dollars.

f. A violation of subsection 6 of section 39-04-37, a fee of one hundred dollars.

g. A violation of subsection 2 of section 39-10-21.1, a fee of two hundred fifty dollars.

h. A violation of section 39-10-59, a fee of five hundred dollars.

i. A violation of section 39-09-01, a fee of thirty dollars.

j. A violation of section 39-09-01.1, a fee of thirty dollars.

k. A violation of section 39-10-46 or 39-10-46.1, a fee of one hundred dollars.

l. A violation of subsection 1 of section 39-08-20, one hundred fifty dollars for a first violation and three hundred dollars for a second or subsequent violation in three years.

m. A violation of section 39-10-24 or 39-10-44, a fee of forty dollars.

n. A violation of section 39-10-50.1, a fee of fifty dollars.

o. A violation of section 39-19-03, a fee of fifty dollars.

3. For a violation of section 39-21-44 or a rule adopted under that section, a fee of two hundred fifty dollars.

4. Except as provided in subsections 5 and 7, for a violation of section 39-09-02, or an equivalent ordinance, a fee ~~established as follows:~~

~~—Miles per hour over~~

lawful speed limit	Fee
1 - 5	\$ 5
6 - 10	\$ 5 plus \$1/each mph over 5 mph over limit
11 - 15	\$ 10 plus \$1/each mph over 10 mph over limit
16 - 20	\$ 15 plus \$2/each mph over 15 mph over limit
21 - 25	\$ 25 plus \$3/each mph over 20 mph over limit
26 - 35	\$ 40 plus \$3/each mph over 25 mph over limit
36 - 45	\$ 70 plus \$3/each mph over 35 mph over limit
46 +	\$100 plus \$5/each mph over 45 mph over limit <u>of two dollars for each mile per hour over the limit.</u>

5. On a highway on which the speed limit is a speed ~~higher than fifty-five~~of twenty-five miles [~~88.51~~40.23 kilometers] an hour, ~~for a violation of section 39-09-02, or an equivalent ordinance, a fee established as follows:~~

Miles per hour over	lawful speed limit	Fee
1 - 10		\$2/each mph over limit
11 +		\$20 plus \$5/each mph over 10 mph over limit <u>or less, for exceeding the speed limit by eleven miles [17.70 kilometers] per hour or more, a fee of twenty-five dollars in addition to the fee under subsection 4.</u>

6. For a violation of section 39-06.2-10.9 or subsection 3 of section 39-21-46, a fee established as follows:

- a. Driving more than eleven hours since the last ten hours off duty, driving after fourteen hours on duty since the last ten hours off duty, driving after sixty hours on duty in seven days or seventy hours in eight days, no record of duty status or log book in possession, failing to retain previous seven-day record of duty status or log book, or operating a vehicle with four to six out-of-service defects, one hundred dollars;
- b. False record of duty status or log book or operating a vehicle with seven to nine out-of-service defects, two hundred fifty dollars;

c. Operating a vehicle after driver placed out of service, operating a vehicle with ten or more out-of-service defects, or operating a vehicle that has been placed out of service prior to its repair, five hundred dollars; and

d. All other violations of motor carrier safety rules adopted under subsection 3 of section 39-21-46, fifty dollars.

7. On a highway on which the speed limit is posted in excess of sixty-five miles [104.61 kilometers] an hour, for a violation of section 39-09-02, or equivalent ordinance, a fee of five dollars for each mile per hour over the limit.

8. For a violation of a school zone speed limit under subdivision b of subsection 1 of section 39-09-02, a fee of forty dollars for one through ten miles per hour over the posted speed; and forty dollars, plus one dollar for each additional mile per hour over ten miles per hour over the limit unless a greater fee would be applicable under this section.

9. For a violation of a highway construction zone speed limit under subsection 2 of section 39-09-02, a fee of eighty dollars for one through ten miles per hour over the posted speed; and eighty dollars plus two dollars for each mile per hour over ten miles per hour over the limit, unless a greater fee would be applicable under this section. The fee in this subsection does not apply to a highway construction zone unless individuals engaged in construction are present at the time and place of the violation and the posted speed limit sign states "Minimum Fee \$80".

SECTION 2. AMENDMENT. Section 39-09-02 of the North Dakota Century Code is amended and reenacted as follows:

39-09-02. Speed limitations.

1. Subject to the provisions of section 39-09-01 and except in those instances when a lower speed is specified in this chapter, it presumably is lawful for the driver of a vehicle to drive the same at a speed not exceeding:

a. Twenty miles [32.19 kilometers] an hour when approaching within fifty feet [15.24 meters] of a grade crossing of any steam, electric, or street railway when the driver's view is obstructed. A driver's view is deemed to be obstructed when at any time during the last two hundred feet [60.96 meters] of the driver's approach to such crossing, the driver does not have a clear and uninterrupted view of such

1 railway crossing and of any traffic on such railway for a distance of four hundred
2 feet [121.92 meters] in each direction from such crossing.

- 3 b. Twenty miles [32.19 kilometers] an hour when passing a school during school
4 recess or while children are going to or leaving school during opening or closing
5 hours, unless a lower speed is designated or posted by local authorities.
- 6 c. Twenty miles [32.19 kilometers] an hour when approaching within fifty feet [15.24
7 meters] and in traversing an intersection of highways when the driver's view is
8 obstructed. A driver's view is deemed to be obstructed when at any time during
9 the last fifty feet [15.24 meters] of the driver's approach to such intersection, the
10 driver does not have a clear and uninterrupted view of such intersection and of
11 the traffic upon all of the highways entering such intersection for a distance of two
12 hundred feet [60.96 meters] from such intersection.
- 13 d. Twenty miles [32.19 kilometers] an hour when the driver's view of the highway
14 ahead is obstructed within a distance of one hundred feet [30.48 meters].
- 15 e. Twenty-five miles [40.23 kilometers] an hour on any highway in a business district
16 or in a residence district or in a public park, unless a different speed is designated
17 and posted by local authorities.
- 18 f. Fifty-five miles [88.51 kilometers] an hour on gravel, dirt, or loose surface
19 highways, and on paved two-lane county and township highways if there is no
20 speed limit posted, unless otherwise permitted, restricted, or required by
21 conditions.
- 22 g. Sixty-five miles [104.61 kilometers] an hour on paved two-lane highways if posted
23 for that speed, unless otherwise permitted, restricted, or required by conditions.
- 24 h. Seventy miles [112.65 kilometers] an hour on paved and divided multilane
25 highways, unless otherwise permitted, restricted, or required by conditions.
- 26 i. ~~Seventy-five~~Eighty miles [~~120.70~~128.75 kilometers] an hour on
27 access-controlled, paved and divided, multilane interstate highways, unless
28 otherwise permitted, restricted, or required by conditions.
- 29 2. The director may designate and post special areas of state highways where lower
30 speed limits apply. Differing limits may be established for different times of the day

within highway construction zones which are effective when posted upon appropriate fixed or variable speed limit signs.

3. The director may designate variable speed limit adjustment zones along the state highway system. The department may install variable speed limit signs in a variable speed limit adjustment zone. In each variable speed limit adjustment zone the director, in coordination with the superintendent of the highway patrol, may use real time intelligent transportation systems to adjust the speed limit when a speed limit adjustment would provide for the safe and efficient movement of motor vehicles.

4. Except as provided by law, ~~it is unlawful for any~~a person ~~to~~may not drive a vehicle ~~upon~~on a highway at a speed that is unsafe or at a speed exceeding the speed limit prescribed by law or established pursuant to law.

4.5. In charging a violation of the provisions of this section, the complaint must specify the speed at which the defendant is alleged to have driven and the speed which this section prescribes is prima facie lawful at the time and place of the alleged offense.

SECTION 3. AMENDMENT. Section 39-09-04 of the North Dakota Century Code is amended and reenacted as follows:

39-09-04. Alteration of maximum speed limits on state highways.

The maximum speed limits specified in section 39-09-02 may be altered on all or any part of the state highway system by an administrative order by the director after holding a public hearing ~~has been held. Such~~The determination must be based on engineering and traffic investigations with primary consideration given to the establishment of reasonable and safe speeds, highway conditions, enforcement, and the general welfare. Speed limits established ~~pursuant to~~under this section ~~shall be~~are effective only when appropriate signs giving notice ~~thereof~~ are erected and ~~such~~the maximum speed limits may be declared ~~to be~~ effective at all times or at ~~such~~the times ~~as are~~ indicated ~~upon said~~on the signs. Differing limits may be established by the director for different times of the day, different types of vehicles, varying weather conditions, and other factors bearing on safe speeds, ~~which shall be~~. Differing limits are effective when posted upon on appropriate fixed or variable signs. An administrative order is not required to lower maximum speed limits temporarily due to unsafe conditions.

SECTION 4. AMENDMENT. Section 39-09-07.1 of the North Dakota Century Code is amended and reenacted as follows:

39-09-07.1. Speed zones - Reduction limitation.

1. Except ~~for highway construction zones~~ under subsections 2 and 3, ~~no~~ a street, road, or highway in the state highway system or any other township, county, or state road or highway may not be posted in a manner which reduces the maximum speed limit on the street, road, or highway by more than twenty miles [32.19 kilometers] per hour between ~~any~~ two signs ~~so~~ posted in a speed zone.

2. The maximum speed limit reductions between two fixed or variable signs in a variable speed limit adjustment zone may exceed twenty miles [32.19 kilometers] per hour when speed limits are lowered temporarily by the director due to unsafe conditions.

3. The maximum speed limit reduction between ~~any~~ two signs posted in a highway construction zone may not exceed thirty miles [48.28 kilometers] per hour.

SECTION 5. AMENDMENT. Subsection 2 of section 40-05-06 of the North Dakota Century Code is amended and reenacted as follows:

2. For every violation of a city ordinance that regulates the operation or equipment of a motor vehicle or which regulates traffic, except those ordinances listed in section 39-06.1-05, a fee may be established, by ordinance, which may exceed, by up to one hundred percent, the limit, for an equivalent category of violation, set forth in section 39-06.1-06 except for a violation of a speed limitation.

SECTION 6. LEGISLATIVE MANAGEMENT STUDY - DRIVERS LICENSE POINTS -

TRAFFIC FEE SCHEDULE. During the 2025-26 interim, the legislative management shall consider studying the drivers license points system and traffic fee schedule in chapter 39-06.1. The study must include a review of the current points system and fee system, and consideration of the severity of violations along with the point and fee values assigned to violations. The legislative management shall report its findings and recommendations, together with any legislation necessary to implement the recommendations, to the seventieth legislative assembly.

2025 HOUSE STANDING COMMITTEE MINUTES

Transportation Committee Room JW327E, State Capitol

HB 1298
4/28/2025
Conference Committee

Relating to the amount of statutory fees, points assigned to driving records, speed limitations on multilane highways, variable speed limits, alteration of maximum speed limits on state highways, speed zone reduction limitations, and city fines and penalties; and to provide a penalty.

9:31 a.m. Chairman Koppelman called the meeting to order.

Members Present: Chairman Koppelman, Representatives Dressler, Morton; Chairman Rummel, Senators Hogan, Klein

Discussion Topics:

- Point changes
- ND Highway patrol
- Violation deterrents

9:31 a.m. Chairman Rummel, District 37, provided testimony on point changes, testimony #45244.

9:38 a.m. Chairman Rummel provided testimony on speed zone fines, testimony #45245.

9:59 a.m. Chairman Koppelman adjourned the meeting.

Janae Pinks, Committee Clerk

Proposed Change in Points assigned to violations used for driver's license suspensions (HB 1298)				
NDCC	Title	Proposed	Current	
39-08-24	Used an electronic communication device while operating a motor vehicle – Class D license holder at least 16 and under 18	3	0	
39-08-25	Failure to maintain control of motor vehicle while distracted	3	0	
39-10-04	Disregarded Traffic Control device	3	2	
39-10-05	Drove through red light/Failure to yield to pedestrian at a lighted traffic-controlled intersection	3	2	
39-10-16(3)	Wrong way on a one way	3	2	
39-10-18(1)	Following too close	3	0	
39-10-21.1	Drove on closed road during hazardous conditions, when closure was announced	3	0	
39-10-26(5)	Failure to yield to emergency vehicle and causes an accident	3	2	
39-26.3	Failure to yield right of way to stationary motor vehicle with hazard lights	3	0	
39-21-41.2	No Child Restraint	3	1	

Speeding Fines

MPH Over	North Dakota Speeding Fines							South Dakota Speeding Fines
	25 mph to 55 mph zone - Current	25 mph to 55 mph zone (city doubled)	25 mph to 65 mph zone - Proposed	60 and 65 mph zone	70 mph and over zone	School zone with children	Construction zone with workers	All Speed Zones
	Fine	Fine + Fee	Fine	Fine	Fine	Fine	Fine	
1 mph	\$ 5	\$ 10	\$ 15	\$ 2	\$ 15	\$ 40	\$ 150	\$ 97.50
2 mph	\$ 5	\$ 10	\$ 15	\$ 4	\$ 15	\$ 40	\$ 150	\$ 97.50
3 mph	\$ 5	\$ 10	\$ 15	\$ 6	\$ 15	\$ 40	\$ 150	\$ 97.50
4 mph	\$ 5	\$ 10	\$ 20	\$ 8	\$ 20	\$ 40	\$ 150	\$ 97.50
5 mph	\$ 5	\$ 10	\$ 20	\$ 10	\$ 25	\$ 40	\$ 150	\$ 97.50
6 mph	\$ 6	\$ 12	\$ 25	\$ 12	\$ 30	\$ 40	\$ 150	\$ 117.50
7 mph	\$ 7	\$ 14	\$ 25	\$ 14	\$ 35	\$ 40	\$ 150	\$ 117.50
8 mph	\$ 8	\$ 16	\$ 25	\$ 16	\$ 40	\$ 40	\$ 150	\$ 117.50
9 mph	\$ 9	\$ 18	\$ 25	\$ 18	\$ 45	\$ 40	\$ 150	\$ 117.50
10 mph	\$ 10	\$ 20	\$ 30	\$ 20	\$ 50	\$ 40	\$ 150	\$ 117.50
11 mph	\$ 11	\$ 22	\$ 35	\$ 25	\$ 55	\$ 41	\$ 152	\$ 137.50
12 mph	\$ 12	\$ 24	\$ 40	\$ 30	\$ 60	\$ 42	\$ 154	\$ 137.50
13 mph	\$ 13	\$ 26	\$ 45	\$ 35	\$ 65	\$ 43	\$ 156	\$ 137.50
14 mph	\$ 14	\$ 28	\$ 50	\$ 40	\$ 70	\$ 44	\$ 158	\$ 137.50
15 mph	\$ 15	\$ 30	\$ 55	\$ 45	\$ 75	\$ 45	\$ 160	\$ 137.50
16 mph	\$ 17	\$ 34	\$ 60	\$ 50	\$ 80	\$ 46	\$ 162	\$ 157.50
17 mph	\$ 19	\$ 38	\$ 65	\$ 55	\$ 85	\$ 47	\$ 164	\$ 157.50
18 mph	\$ 21	\$ 42	\$ 70	\$ 60	\$ 90	\$ 48	\$ 166	\$ 157.50
19 mph	\$ 23	\$ 46	\$ 75	\$ 65	\$ 95	\$ 49	\$ 168	\$ 157.50
20 mph	\$ 25	\$ 50	\$ 80	\$ 70	\$ 100	\$ 50	\$ 170	\$ 157.50
21 mph	\$ 28	\$ 56	\$ 85	\$ 75	\$ 105	\$ 51	\$ 172	\$ 177.50
22 mph	\$ 31	\$ 62	\$ 90	\$ 80	\$ 110	\$ 52	\$ 174	\$ 177.50
23 mph	\$ 34	\$ 68	\$ 95	\$ 85	\$ 115	\$ 53	\$ 176	\$ 177.50
24 mph	\$ 37	\$ 74	\$ 100	\$ 90	\$ 120	\$ 54	\$ 178	\$ 177.50
25 mph	\$ 40	\$ 80	\$ 105	\$ 95	\$ 125	\$ 55	\$ 180	\$ 177.50
26 mph	\$ 43	\$ 86	\$ 110	\$ 100	\$ 130	\$ 56	\$ 182	\$ 232.50
27 mph	\$ 46	\$ 92	\$ 115	\$ 105	\$ 135	\$ 57	\$ 184	\$ 232.50
28 mph	\$ 49	\$ 98	\$ 120	\$ 110	\$ 140	\$ 58	\$ 186	\$ 232.50
29 mph	\$ 52	\$ 104	\$ 125	\$ 115	\$ 145	\$ 59	\$ 188	\$ 232.50
30 mph	\$ 55	\$ 110	\$ 130	\$ 120	\$ 150	\$ 60	\$ 190	\$ 232.50
31 mph	\$ 58	\$ 116	\$ 135	\$ 125	\$ 155	\$ 61	\$ 192	\$ 232.50
32 mph	\$ 61	\$ 122	\$ 140	\$ 130	\$ 160	\$ 62	\$ 194	\$ 232.50
33 mph	\$ 64	\$ 128	\$ 145	\$ 135	\$ 165	\$ 63	\$ 196	\$ 232.50
34 mph	\$ 67	\$ 134	\$ 150	\$ 140	\$ 170	\$ 64	\$ 198	\$ 232.50
35 mph	\$ 70	\$ 140	\$ 155	\$ 145	\$ 175	\$ 65	\$ 200	\$ 232.50
36 mph	\$ 73	\$ 146	\$ 160	\$ 150	\$ 180	\$ 66	\$ 202	\$ 232.50
37 mph	\$ 76	\$ 152	\$ 165	\$ 155	\$ 185	\$ 67	\$ 204	\$ 232.50
38 mph	\$ 79	\$ 158	\$ 170	\$ 160	\$ 190	\$ 68	\$ 206	\$ 232.50
39 mph	\$ 82	\$ 164	\$ 175	\$ 165	\$ 195	\$ 69	\$ 208	\$ 232.50
40 mph	\$ 85	\$ 170	\$ 180	\$ 170	\$ 200	\$ 70	\$ 210	\$ 232.50
41 mph	\$ 88	\$ 176	\$ 185	\$ 175	\$ 205	\$ 71	\$ 212	\$ 232.50
42 mph	\$ 91	\$ 182	\$ 190	\$ 180	\$ 210	\$ 73	\$ 214	\$ 232.50

7296
runnel

43 mph	\$ 94	\$ 188	\$ 195	\$ 185	\$ 215	\$ 73	\$ 216	\$ 232.50
44 mph	\$ 97	\$ 194	\$ 200	\$ 190	\$ 220	\$ 74	\$ 218	\$ 232.50
45 mph	\$ 100	\$ 200	\$ 205	\$ 195	\$ 225	\$ 75	\$ 220	\$ 232.50
46 mph	\$ 105	\$ 210	\$ 210	\$ 200	\$ 230	\$ 76	\$ 222	\$ 232.50
47 mph	\$ 110	\$ 220	\$ 215	\$ 205	\$ 235	\$ 77	\$ 224	\$ 232.50
48 mph	\$ 115	\$ 230	\$ 220	\$ 210	\$ 240	\$ 78	\$ 226	\$ 232.50
49 mph	\$ 120	\$ 240	\$ 225	\$ 215	\$ 245	\$ 79	\$ 228	\$ 232.50
50 mph	\$ 125	\$ 250	\$ 230	\$ 220	\$ 250	\$ 80	\$ 230	\$ 232.50
51 mph	\$ 130	\$ 260	\$ 235	\$ 225	\$ 255	\$ 81	\$ 232	\$ 232.50
52 mph	\$ 135	\$ 270	\$ 240	\$ 230	\$ 260	\$ 82	\$ 234	\$ 232.50
53 mph	\$ 140	\$ 280	\$ 245	\$ 235	\$ 265	\$ 83	\$ 236	\$ 232.50
54 mph	\$ 145	\$ 290	\$ 250	\$ 240	\$ 270	\$ 84	\$ 238	\$ 232.50
55 mph	\$ 150	\$ 300	\$ 255	\$ 245	\$ 275	\$ 85	\$ 240	\$ 232.50

N.D.C.C. § 40-05-06 allows a city to adopt an ordinance adding a fee of up to 100% the fine for speeding violations.

School zone fines when children are present. Would revert back to the applicable speed limit zone if fine is greater in that zone.

Fines reflect construction zone fines effective August 1, 2025, as passed in SB 2193. Construction zone fines when workers are present.

South Dakota adds a mandatory \$78.50 fee for speeding violations (https://ujs.sd.gov/media/gt5lb1gn/fine_and_bond_schedule.pdf)

2025 HOUSE STANDING COMMITTEE MINUTES

Transportation Committee Room JW327E, State Capitol

HB 1298
4/28/2025
Conference Committee

Relating to the amount of statutory fees, points assigned to driving records, speed limitations on multilane highways, variable speed limits, alteration of maximum speed limits on state highways, speed zone reduction limitations, and city fines and penalties; and to provide a penalty.

2:02 p.m. Chairman Koppelman called the meeting to order.

Members Present: Chairman Koppelman, Representatives Dressler, Morton; Chairman Rummel, Senators Hogan, Klein

Discussion Topics:

- Points system
- Study language
- Speeding fines

2:12 p.m. Senator Hogan, District 21, proposed amendment LC#25.0496.01008, testimony #45268.

2:22 p.m. Chairman Koppelman adjourned the meeting.

Janae Pinks, Committee Clerk

25.0496.01008
Title.

Prepared by the Legislative Council
staff for Senator Hogan
April 28, 2025

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO

HOUSE BILL NO. 1298

Introduced by

Representatives Koppelman, Louser, Murphy, Pyle, Schneider, Vetter, Grueneich

Senators Cory, Meyer, Paulson, Roers

In place of amendment (25.0496.01003) adopted by the Senate, House Bill No. 1298 is amended by amendment (25.0496.01008) as follows:

1 A BILL ~~for an Act to amend and reenact subdivision i of subsection 1 of section 39-09-02 of the~~
2 ~~North Dakota Century Code, relating to speed limitations on multilane highways; and to provide~~
3 ~~a penalty for an Act to amend and reenact section 39-06.1-06, subsection 3 of section~~
4 ~~39-06.1-10, sections 39-09-02, 39-09-04, and 39-09-07.1, and subsection 2 of section 40-05-06~~
5 ~~of the North Dakota Century Code, relating to the amount of statutory fees, points assigned to~~
6 ~~driving records, speed limitations on multilane highways, variable speed limits, alteration of~~
7 ~~maximum speed limits on state highways, speed zone reduction limitations, and city fines and~~
8 ~~penalties; to provide for a legislative management report; and to provide a penalty.~~

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

10 ~~— **SECTION 1. AMENDMENT.** Subdivision i of subsection 1 of section 39-09-02 of the North~~
11 ~~Dakota Century Code is amended and reenacted as follows:~~
12 ~~— i. ~~Seventy-five~~ Eighty miles [~~120.70~~ 128.75 kilometers] an hour on~~
13 ~~access-controlled, paved and divided, multilane interstate highways, unless~~
14 ~~otherwise permitted, restricted, or required by conditions.~~

15 **SECTION 1. AMENDMENT.** Section 39-06.1-06 of the North Dakota Century Code is
16 amended and reenacted as follows:

17 **39-06.1-06. Amount of statutory fees.**

18 The fees required for a noncriminal disposition under section 39-06.1-02 or 39-06.1-03 must
19 be as follows:

1. For a nonmoving violation as defined in section 39-06.1-08, a fee of twenty dollars except for a violation of any traffic parking regulation on any state charitable or penal institution property or on the state capitol grounds, a fee in the amount of five dollars, excluding a violation of subsection 11 of section 39-01-15.
2. For a moving violation as defined in section 39-06.1-09, a fee of twenty dollars, except for:
 - a. A violation of section 39-10-26, 39-10-26.2, 39-10-41, or 39-10-42, a fee of fifty dollars.
 - b. A violation of section 39-10-05 involving failure to yield to a pedestrian or subsection 1 of section 39-10-28, a fee of fifty dollars.
 - c. A violation of section 39-21-41.2, a fee of twenty-five dollars.
 - d. A violation of subsection 1 of section 39-12-02, section 39-08-23, or section 39-08-25, a fee of one hundred dollars.
 - e. A violation of subdivision d of subsection 1 of section 39-12-04, a fee of one hundred dollars.
 - f. A violation of subsection 6 of section 39-04-37, a fee of one hundred dollars.
 - g. A violation of subsection 2 of section 39-10-21.1, a fee of two hundred fifty dollars.
 - h. A violation of section 39-10-59, a fee of five hundred dollars.
 - i. A violation of section 39-09-01, a fee of thirty dollars.
 - j. A violation of section 39-09-01.1, a fee of thirty dollars.
 - k. A violation of section 39-10-46 or 39-10-46.1, a fee of one hundred dollars.
 - l. A violation of subsection 1 of section 39-08-20, one hundred fifty dollars for a first violation and three hundred dollars for a second or subsequent violation in three years.
 - m. A violation of section 39-10-24 or 39-10-44, a fee of forty dollars.
 - n. A violation of section 39-10-50.1, a fee of fifty dollars.
 - o. A violation of section 39-19-03, a fee of fifty dollars.
3. For a violation of section 39-21-44 or a rule adopted under that section, a fee of two hundred fifty dollars.

4. ~~Except as provided in subsections 5 and 7, for~~For a violation of section 39-09-02, or an equivalent ordinance, a fee ~~established as follows:~~

~~Miles per hour over~~

~~lawful speed limit~~ Fee

~~1 - 5 \$ 5~~

~~6 - 10 \$ 5 plus \$1/each mph over 5 mph over limit~~

~~11 - 15 \$ 10 plus \$1/each mph over 10 mph over limit~~

~~16 - 20 \$ 15 plus \$2/each mph over 15 mph over limit~~

~~21 - 25 \$ 25 plus \$3/each mph over 20 mph over limit~~

~~26 - 35 \$ 40 plus \$3/each mph over 25 mph over limit~~

~~36 - 45 \$ 70 plus \$3/each mph over 35 mph over limit~~

~~46 + \$100 plus \$5/each mph over 45 mph over limit~~

~~5. On a highway on which the speed limit is a speed higher than fifty-five miles [88.51 kilometers] an hour, for a violation of section 39-09-02, or an equivalent ordinance, a fee established as follows:~~

~~Miles per hour over~~

~~lawful speed limit~~ Fee

~~1 - 10 \$2/each mph over limit~~

~~11 + \$20 plus \$5/each mph over 10 mph over limit~~of five dollars for each mile per hour over the limit.

~~6.5.~~ For a violation of section 39-06.2-10.9 or subsection 3 of section 39-21-46, a fee established as follows:

- a. Driving more than eleven hours since the last ten hours off duty, driving after fourteen hours on duty since the last ten hours off duty, driving after sixty hours on duty in seven days or seventy hours in eight days, no record of duty status or log book in possession, failing to retain previous seven-day record of duty status or log book, or operating a vehicle with four to six out-of-service defects, one hundred dollars;
- b. False record of duty status or log book or operating a vehicle with seven to nine out-of-service defects, two hundred fifty dollars;

- c. Operating a vehicle after driver placed out of service, operating a vehicle with ten or more out-of-service defects, or operating a vehicle that has been placed out of service prior to its repair, five hundred dollars; and
- d. All other violations of motor carrier safety rules adopted under subsection 3 of section 39-21-46, fifty dollars.

~~7. On a highway on which the speed limit is posted in excess of sixty-five miles [104.61 kilometers] an hour, for a violation of section 39-09-02, or equivalent ordinance, a fee of five dollars for each mile per hour over the limit.~~

~~8.6.~~ For a violation of a school zone speed limit under subdivision b of subsection 1 of section 39-09-02, a fee of forty dollars for one through ten miles per hour over the posted speed; and forty dollars, plus one dollar for each additional mile per hour over ten miles per hour over the limit unless a greater fee would be applicable under this section.

~~9.7.~~ For a violation of a highway construction zone speed limit under subsection 2 of section 39-09-02, a fee of eighty dollars for one through ten miles per hour over the posted speed; and eighty dollars plus two dollars for each mile per hour over ten miles per hour over the limit, unless a greater fee would be applicable under this section. The fee in this subsection does not apply to a highway construction zone unless individuals engaged in construction are present at the time and place of the violation and the posted speed limit sign states "Minimum Fee \$80".

SECTION 2. AMENDMENT. Subsection 3 of section 39-06.1-10 of the North Dakota Century Code is amended and reenacted as follows:

3. Points must be assigned and accumulated on the basis of the following schedule:

a. Noncriminal Violations

Noncriminal Adjudication or Admission of:	Points Assigned:
(1) Overtime and double parking in violation of city ordinances	0 points
(2) Failure to display license plates	1 point
(3) Permitting unauthorized minor to drive	2 points
(4) Permitting unauthorized person to drive	2 points

1	(5) Unlawful stopping, standing, or parking on open	2 points
2	highway in violation of section 39-10-47	
3	(6) Unlawful parking in prohibited place	1 point
4	(7) Leaving motor vehicle improperly unattended on	1 point
5	an open highway	
6	(8) Opening or leaving motor vehicle doors open when	1 point
7	unsafe to do so	
8	(9) Except as provided in sections 39-21-44 and	2 points
9	39-21-45.1, knowingly driving with defective,	
10	nonexistent, or unlawful equipment in violation of	
11	section 39-21-46, or equivalent ordinances	
12	(10) Careless driving in violation of section 39-09-01, or	6 points
13	equivalent ordinance	
14	(11) Violating or exceeding restrictions contained in	4 points
15	a restricted certificate issued pursuant to section	
16	39-06.1-03	
17	(12) Racing or drag racing motor vehicles in violation	10 points
18	of section 39-08-03.1, or equivalent ordinance	
19	(13) Exhibition driving in violation of section 39-08-03.1, or	3 points
20	equivalent ordinance	
21	(14) Failing Except as provided in paragraph 47,	2 points
22	failing to yield right of way in violation of	2 points
23	section 39-10-20, 39-10-22 through 39-10-26,	
24	39-10-28, 39-10-33.3, 39-10-44, or 39-10-72, or	
25	equivalent ordinances	
26	(15) Disobeying an official traffic-control device	2 3 points
27	in violation of section 39-10-04, or 39-10-05, or	
28	39-10-07 , or equivalent ordinances	
29	(16) Driving on wrong side of road in violation of	2 points
30	section 39-10-08, 39-10-14, or	

1	subsection 1, or 2, or 3 of section 39-10-16, or	
2	equivalent ordinances	
3	(17) Failing to dim headlights in violation of section	1 point
4	39-21-21, or equivalent ordinance	
5	(18) Failing to stop at railroad crossing in violation of section	3 points
6	39-10-41 or 39-10-42, or equivalent ordinances	
7	(19) Knowingly driving with defective brakes in violation of	2 points
8	section 39-21-32 or 39-21-33, or equivalent ordinances	
9	(20) Disregarding the lawful commands of a police officer in	2 points
10	violation of section 39-10-02, or equivalent ordinance	
11	(21) Overtaking where prohibited or in an unsafe manner in	2 points
12	violation of section 39-10-11, 39-10-12, 39-10-13, or	
13	39-10-15, or equivalent ordinances	
14	(22) Overtaking and passing a schoolbus in violation of	6 points
15	section 39-10-46, or equivalent ordinance	
16	(23) Operating a motor vehicle without a license in	4 points
17	violation of section 39-06-01, or equivalent ordinance	
18	(24) Improperly operating or unlawfully carrying	2 points
19	passengers or packages on a motorcycle in violation	
20	of section 39-10.2-02, or equivalent ordinance	
21	(25) Improperly operating a motorcycle in laned traffic in	2 points
22	violation of section 39-10.2-03, or equivalent ordinance	
23	(26) Clinging to other vehicles while riding a motorcycle in	4 points
24	violation of section 39-10.2-04, or equivalent ordinance	
25	(27) Carrying a passenger on a motorcycle not equipped	2 points
26	with passenger footrests in violation of section	
27	39-10.2-05, or equivalent ordinance	
28	(28) Operating a motorcycle without protective headgear	2 points
29	in violation of subsection 1 of section 39-10.2-06, or	
30	equivalent ordinance	

1	(29)	Failing to use the care required in section 39-09-01.1,	2 points
2		or equivalent ordinance	
3	(30)	Except as provided in paragraph 33, operating a motor	
4		vehicle in excess of speed limit in violation of section	
5		39-09-02, or equivalent ordinance	
6		6 - 10 mph over limit	0 points
7		11 - 15 mph over limit	1 point
8		16 - 20 mph over limit	3 points
9		21 - 25 mph over limit	5 points
10		26 - 35 mph over limit	9 points
11		36 - 45 mph over limit	12 points
12		46 + mph over limit	15 points
13	(31)	Driving in violation of section 39-08-18	2 points
14	(32)	Driving in violation of section 39-08-09	6 points
15	(33)	On a highway on which the speed limit is posted in	
16		excess of sixty-five miles [104.61 kilometers] an hour,	
17		operating a motor vehicle in excess of the speed limit	
18		in violation of section 39-09-02, or equivalent ordinance	
19		Miles per hour over lawful speed limit	Points
20		1 - 5	0
21		6 - 10	1
22		11 - 15	3
23		16 - 20	5
24		21 - 25	7
25		26 - 30	10
26		31 - 35	12
27		36 +	15
28	(34)	Failing to have a minor in a child restraint system	1 point 3 points
29		or seatbelt in violation of section 39-21-41.2	

1	(35) Failure or refusal to comply with rules of the	0 points
2	superintendent of the highway patrol in violation	
3	of subsection 3 of section 39-21-46	
4	(36) Violation of section 39-21-44 or any rule adopted	2 points
5	under that section	
6	(37) Except as provided in paragraph 39, operating a motor	6 points
7	vehicle without liability insurance, in violation of	
8	section 39-08-20	
9	(38) Except as provided in paragraph 39, operating a motor	12 points
10	vehicle without liability insurance, in violation of	
11	section 39-08-20, if the driving record shows that the	
12	licensee has within the eighteen months preceding the	
13	violation previously violated section 39-08-20	
14	(39) Operating a motor vehicle without liability insurance,	14 points
15	in violation of section 39-08-20, if the violation was	
16	discovered as the result of investigation of an accident	
17	in which the driver is the owner	
18	(40) Driving a modified motor vehicle in violation of section	1 point
19	39-21-45.1, or equivalent ordinance	
20	(41) Driving in violation of the conditions of	2 points
21	an instructional permit	
22	(42) <u>Using a wireless communications device</u>	3 points
23	<u>in violation of section 39-08-24, or equivalent ordinance</u>	
24	(43) <u>Failure to maintain control of a motor vehicle while distracted</u>	3 points
25	<u>in violation of section 39-08-25, or equivalent ordinance</u>	
26	(44) <u>Driving on the wrong side of the road in violation of</u>	3 points
27	<u>subsection 3 of section 39-10-16, or</u>	
28	<u>equivalent ordinance</u>	
29	(45) <u>Following too close in violation of</u>	3 points
30	<u>subsection 1 of section 39-10-18, or</u>	
31	<u>equivalent ordinance</u>	

1	(46) Driving on a closed road during hazardous conditions,	3 points
2	when closure was announced, in violation	
3	of section 39-10-21.1, or equivalent ordinance	
4	(47) Failing to yield the right of way in violation of	3 points
5	subsection 5 of section 39-10-26 or 39-10-26.3,	
6	or equivalent ordinances	
7	(48) Disobeying an official traffic-control device	2 points
8	in violation of section 39-10-07, or equivalent ordinance.	
9	b. Criminal Violations	
10	Conviction of:	Points Assigned:
11	(1) Reckless driving in violation of section 39-08-03, or	8 points
12	equivalent ordinance	
13	(2) Aggravated reckless driving in violation of section	12 points
14	39-08-03, or equivalent ordinance	
15	(3) Leaving the scene of an accident involving property	14 points
16	damage in violation of section 39-08-05, 39-08-07,	
17	or 39-08-08, or equivalent ordinances	
18	(4) Leaving the scene of an accident involving personal	18 points
19	injury or death in violation of section 39-08-04, or	
20	equivalent ordinance	
21	(5) Violating restrictions in a restricted license issued	3 points
22	under section 39-06-17 and relating to the use of	
23	eyeglasses or contact lenses while driving	
24	(6) Violating any restrictions other than those listed in	4 points
25	paragraph 5, contained in a restricted license issued	
26	under section 39-06-17 or 39-06.1-11	
27	(7) Except as provided in paragraph 9 of subdivision a,	2 points
28	knowingly operating an unsafe vehicle in violation of	
29	section 39-21-46, or equivalent ordinance	
30	(8) Fleeing in a motor vehicle from a peace officer in	24 points
31	violation of section 39-10-71, or equivalent ordinance	

- 1 (9) Causing an accident with an authorized emergency 2 points
2 vehicle or a vehicle operated by or under the control
3 of the director used for maintaining the state highway
4 system in violation of subsection 5 of section 39-10-26,
5 or equivalent ordinance.

6 **SECTION 3. AMENDMENT.** Section 39-09-02 of the North Dakota Century Code is
7 amended and reenacted as follows:

8 **39-09-02. Speed limitations.**

- 9 1. Subject to the provisions of section 39-09-01 and except in those instances when a
10 lower speed is specified in this chapter, it presumably is lawful for the driver of a
11 vehicle to drive the same at a speed not exceeding:
12 a. Twenty miles [32.19 kilometers] an hour when approaching within fifty feet [15.24
13 meters] of a grade crossing of any steam, electric, or street railway when the
14 driver's view is obstructed. A driver's view is deemed to be obstructed when at
15 any time during the last two hundred feet [60.96 meters] of the driver's approach
16 to such crossing, the driver does not have a clear and uninterrupted view of such
17 railway crossing and of any traffic on such railway for a distance of four hundred
18 feet [121.92 meters] in each direction from such crossing.
19 b. Twenty miles [32.19 kilometers] an hour when passing a school during school
20 recess or while children are going to or leaving school during opening or closing
21 hours, unless a lower speed is designated or posted by local authorities.
22 c. Twenty miles [32.19 kilometers] an hour when approaching within fifty feet [15.24
23 meters] and in traversing an intersection of highways when the driver's view is
24 obstructed. A driver's view is deemed to be obstructed when at any time during
25 the last fifty feet [15.24 meters] of the driver's approach to such intersection, the
26 driver does not have a clear and uninterrupted view of such intersection and of
27 the traffic upon all of the highways entering such intersection for a distance of two
28 hundred feet [60.96 meters] from such intersection.
29 d. Twenty miles [32.19 kilometers] an hour when the driver's view of the highway
30 ahead is obstructed within a distance of one hundred feet [30.48 meters].

- 1 e. Twenty-five miles [40.23 kilometers] an hour on any highway in a business district
- 2 or in a residence district or in a public park, unless a different speed is designated
- 3 and posted by local authorities.
- 4 f. Fifty-five miles [88.51 kilometers] an hour on gravel, dirt, or loose surface
- 5 highways, and on paved two-lane county and township highways if there is no
- 6 speed limit posted, unless otherwise permitted, restricted, or required by
- 7 conditions.
- 8 g. Sixty-five miles [104.61 kilometers] an hour on paved two-lane highways if posted
- 9 for that speed, unless otherwise permitted, restricted, or required by conditions.
- 10 h. Seventy miles [112.65 kilometers] an hour on paved and divided multilane
- 11 highways, unless otherwise permitted, restricted, or required by conditions.
- 12 i. ~~Seventy-five~~Eighty miles [~~120.70~~128.75 kilometers] an hour on
- 13 access-controlled, paved and divided, multilane interstate highways, unless
- 14 otherwise permitted, restricted, or required by conditions.
- 15 2. The director may designate and post special areas of state highways where lower
- 16 speed limits apply. Differing limits may be established for different times of the day
- 17 within highway construction zones which are effective when posted upon appropriate
- 18 fixed or variable speed limit signs.
- 19 3. The director may designate variable speed limit adjustment zones along the state
- 20 highway system. The department may install variable speed limit signs in a variable
- 21 speed limit adjustment zone. In each variable speed limit adjustment zone the director,
- 22 in coordination with the superintendent of the highway patrol, may use real time
- 23 intelligent transportation systems to adjust the speed limit when a speed limit
- 24 adjustment would provide for the safe and efficient movement of motor vehicles.
- 25 4. Except as provided by law, ~~it is unlawful for any~~a person ~~to~~may not drive a vehicle
- 26 ~~upon~~on a highway at a speed that is unsafe or at a speed exceeding the speed limit
- 27 prescribed by law or established pursuant to law.
- 28 ~~4.5.~~ In charging a violation of the provisions of this section, the complaint must specify the
- 29 speed at which the defendant is alleged to have driven and the speed which this
- 30 section prescribes is prima facie lawful at the time and place of the alleged offense.

SECTION 4. AMENDMENT. Section 39-09-04 of the North Dakota Century Code is amended and reenacted as follows:

39-09-04. Alteration of maximum speed limits on state highways.

The maximum speed limits specified in section 39-09-02 may be altered on all or any part of the state highway system by an administrative order by the director after holding a public hearing ~~has been held~~. ~~Such~~The determination must be based on engineering and traffic investigations with primary consideration given to the establishment of reasonable and safe speeds, highway conditions, enforcement, and the general welfare. Speed limits established ~~pursuant to~~under this section ~~shall be~~are effective only when appropriate signs giving notice ~~thereof~~ are erected and ~~such~~the maximum speed limits may be declared ~~to be~~ effective at all times or at ~~such~~the times ~~as are~~ indicated ~~upon said~~on the signs. Differing limits may be established by the director for different times of the day, different types of vehicles, varying weather conditions, and other factors bearing on safe speeds, ~~which shall be~~. Differing limits are effective when posted upon appropriate fixed or variable signs. An administrative order is not required to lower maximum speed limits temporarily due to unsafe conditions.

SECTION 5. AMENDMENT. Section 39-09-07.1 of the North Dakota Century Code is amended and reenacted as follows:

39-09-07.1. Speed zones - Reduction limitation.

1. Except for highway construction zones under subsections 2 and 3, no street, road, or highway in the state highway system or any other township, county, or state road or highway may not be posted in a manner which reduces the maximum speed limit on the street, road, or highway by more than twenty miles [32.19 kilometers] per hour between ~~any~~ two signs ~~so~~ posted in a speed zone.

2. The maximum speed limit reductions between two fixed or variable signs in a variable speed limit adjustment zone may exceed twenty miles [32.19 kilometers] per hour when speed limits are lowered temporarily by the director due to unsafe conditions.

3. The maximum speed limit reduction between ~~any~~ two signs posted in a highway construction zone may not exceed thirty miles [48.28 kilometers] per hour.

SECTION 6. AMENDMENT. Subsection 2 of section 40-05-06 of the North Dakota Century Code is amended and reenacted as follows:

2. For every violation of a city ordinance that regulates the operation or equipment of a motor vehicle or which regulates traffic, except those ordinances listed in section 39-06.1-05, a fee may be established, by ordinance, which may exceed, by up to one hundred percent, the limit, for an equivalent category of violation, set forth in section 39-06.1-06 except for a violation of a speed limitation.

**SECTION 7. HIGHWAY PATROL STUDY - DRIVERS LICENSE POINTS SYSTEM -
REPORT TO LEGISLATIVE MANAGEMENT.** During the 2025-26 interim, the highway patrol, in conjunction with local law enforcement, shall study the drivers license points system. The study must include a review of the drivers license points system and a recommended structure to improve the drivers license points system. On or before August 1, 2026, the highway patrol shall submit a report regarding its findings and recommendations, together with any legislation required to implement the recommendations, to the legislative management.

2025 HOUSE STANDING COMMITTEE MINUTES

Transportation Committee Room JW327E, State Capitol

HB 1298
4/28/2025
Conference Committee

Relating to the amount of statutory fees, points assigned to driving records, speed limitations on multilane highways, variable speed limits, alteration of maximum speed limits on state highways, speed zone reduction limitations, and city fines and penalties; and to provide a penalty.

2:58 p.m. Chairman Koppelman called the meeting to order.

Members Present: Chairman Koppelman, Representatives Dressler, Morton; Chairman Rummel, Senators Hogan, Klein

Discussion Topics:

- Speeding zone fines
- Minimum fines

2:58 p.m. Representative Dressler, District 36, provided testimony #45272.

3:12 p.m. Senator Rummel, District 37, provided testimony #45275.

3:26 p.m. Chairman Koppelman adjourned the meeting.

Janae Pinks, Committee Clerk

1298
Dressler

25-65 mph Zone

MPH Over	Fine/mile	Total Fine
1	\$3	\$20
2	\$3	\$20
3	\$3	\$20
4	\$3	\$20
5	\$3	\$20
6	\$3	\$20
7	\$3	\$21
8	\$3	\$24
9	\$3	\$27
10	\$3	\$30
11	\$3	\$33
12	\$3	\$36
13	\$3	\$39
14	\$3	\$42
15	\$3	\$45
16	\$3	\$48
17	\$3	\$51
18	\$3	\$54
19	\$3	\$57
20	\$3	\$60
21	\$3	\$63
22	\$3	\$66
23	\$3	\$69
24	\$3	\$72
25	\$3	\$75
26	\$3	\$78
27	\$3	\$81
28	\$3	\$84
29	\$3	\$87
30	\$3	\$90

Speeding Fines									
	North Dakota Speeding Fines								South Dakota Speeding Fines
	25 mph to 55 mph zone	25 mph to 55 mph zone (city doubled)	Proposal Min of \$20 and \$3 per MPH 25 mph to 55 mph zone	Proposal Min of \$20 and \$4 per MPH 25 mph to 55 mph zone	60 and 65 mph zone	70 mph and over zone	School zone with children	Construction zone with workers	All Speed Zones
MPH Over	Fine	Fine + Fee	Fine	Fine	Fine	Fine	Fine	Fine	Fine + Fee
1 mph	\$ 5	\$ 10	\$ 20	\$ 20	\$ 2	\$ 5	\$ 40	\$ 150	\$ 97.50
2 mph	\$ 5	\$ 10	\$ 20	\$ 20	\$ 4	\$ 10	\$ 40	\$ 150	\$ 97.50
3 mph	\$ 5	\$ 10	\$ 20	\$ 20	\$ 6	\$ 15	\$ 40	\$ 150	\$ 97.50
4 mph	\$ 5	\$ 10	\$ 20	\$ 20	\$ 8	\$ 20	\$ 40	\$ 150	\$ 97.50
5 mph	\$ 5	\$ 10	\$ 20	\$ 20	\$ 10	\$ 25	\$ 40	\$ 150	\$ 97.50
6 mph	\$ 6	\$ 12	\$ 20	\$ 24	\$ 12	\$ 30	\$ 40	\$ 150	\$ 117.50
7 mph	\$ 7	\$ 14	\$ 21	\$ 28	\$ 14	\$ 35	\$ 40	\$ 150	\$ 117.50
8 mph	\$ 8	\$ 16	\$ 24	\$ 32	\$ 16	\$ 40	\$ 40	\$ 150	\$ 117.50
9 mph	\$ 9	\$ 18	\$ 27	\$ 36	\$ 18	\$ 45	\$ 40	\$ 150	\$ 117.50
10 mph	\$ 10	\$ 20	\$ 30	\$ 40	\$ 20	\$ 50	\$ 40	\$ 150	\$ 117.50
11 mph	\$ 11	\$ 22	\$ 33	\$ 44	\$ 25	\$ 55	\$ 41	\$ 152	\$ 137.50
12 mph	\$ 12	\$ 24	\$ 36	\$ 48	\$ 30	\$ 60	\$ 42	\$ 154	\$ 137.50
13 mph	\$ 13	\$ 26	\$ 39	\$ 52	\$ 35	\$ 65	\$ 43	\$ 156	\$ 137.50
14 mph	\$ 14	\$ 28	\$ 42	\$ 56	\$ 40	\$ 70	\$ 44	\$ 158	\$ 137.50
15 mph	\$ 15	\$ 30	\$ 45	\$ 60	\$ 45	\$ 75	\$ 45	\$ 160	\$ 137.50
16 mph	\$ 17	\$ 34	\$ 48	\$ 64	\$ 50	\$ 80	\$ 46	\$ 162	\$ 157.50
17 mph	\$ 19	\$ 38	\$ 51	\$ 68	\$ 55	\$ 85	\$ 47	\$ 164	\$ 157.50
18 mph	\$ 21	\$ 42	\$ 54	\$ 72	\$ 60	\$ 90	\$ 48	\$ 166	\$ 157.50
19 mph	\$ 23	\$ 46	\$ 57	\$ 76	\$ 65	\$ 95	\$ 49	\$ 168	\$ 157.50
20 mph	\$ 25	\$ 50	\$ 60	\$ 80	\$ 70	\$ 100	\$ 50	\$ 170	\$ 157.50
21 mph	\$ 28	\$ 56	\$ 63	\$ 84	\$ 75	\$ 105	\$ 51	\$ 172	\$ 177.50
22 mph	\$ 31	\$ 62	\$ 66	\$ 88	\$ 80	\$ 110	\$ 52	\$ 174	\$ 177.50
23 mph	\$ 34	\$ 68	\$ 69	\$ 92	\$ 85	\$ 115	\$ 53	\$ 176	\$ 177.50
24 mph	\$ 37	\$ 74	\$ 72	\$ 96	\$ 90	\$ 120	\$ 54	\$ 178	\$ 177.50
25 mph	\$ 40	\$ 80	\$ 75	\$ 100	\$ 95	\$ 125	\$ 55	\$ 180	\$ 177.50
26 mph	\$ 43	\$ 86	\$ 78	\$ 104	\$ 100	\$ 130	\$ 56	\$ 182	\$ 232.50
27 mph	\$ 46	\$ 92	\$ 81	\$ 108	\$ 105	\$ 135	\$ 57	\$ 184	\$ 232.50
28 mph	\$ 49	\$ 98	\$ 84	\$ 112	\$ 110	\$ 140	\$ 58	\$ 186	\$ 232.50
29 mph	\$ 52	\$ 104	\$ 87	\$ 116	\$ 115	\$ 145	\$ 59	\$ 188	\$ 232.50
30 mph	\$ 55	\$ 110	\$ 90	\$ 120	\$ 120	\$ 150	\$ 60	\$ 190	\$ 232.50
31 mph	\$ 58	\$ 116	\$ 93	\$ 124	\$ 125	\$ 155	\$ 61	\$ 192	\$ 232.50
32 mph	\$ 61	\$ 122	\$ 96	\$ 128	\$ 130	\$ 160	\$ 62	\$ 194	\$ 232.50
33 mph	\$ 64	\$ 128	\$ 99	\$ 132	\$ 135	\$ 165	\$ 63	\$ 196	\$ 232.50
34 mph	\$ 67	\$ 134	\$ 102	\$ 136	\$ 140	\$ 170	\$ 64	\$ 198	\$ 232.50
35 mph	\$ 70	\$ 140	\$ 105	\$ 140	\$ 145	\$ 175	\$ 65	\$ 200	\$ 232.50

	25 mph to 55 mph zone	25 mph to 55 mph zone (city doubled)	Proposal Min of \$20 and \$3 per MPH 25 mph to 55 mph zone	Proposal Min of \$20 and \$4 per MPH 25 mph to 55 mph zone	60 and 65 mph zone	70 mph and over zone	School zone with children	Construction zone with workers	All Speed Zones
MPH Over	Fine	Fine + Fee	Fine	Fine	Fine	Fine	Fine	Fine	Fine + Fee
36 mph	\$ 73	\$ 146	\$ 108	\$ 144	\$ 150	\$ 180	\$ 66	\$ 202	\$ 232.50
37 mph	\$ 76	\$ 152	\$ 111	\$ 148	\$ 155	\$ 185	\$ 67	\$ 204	\$ 232.50
38 mph	\$ 79	\$ 158	\$ 114	\$ 152	\$ 160	\$ 190	\$ 68	\$ 206	\$ 232.50
39 mph	\$ 82	\$ 164	\$ 117	\$ 156	\$ 165	\$ 195	\$ 69	\$ 208	\$ 232.50
40 mph	\$ 85	\$ 170	\$ 120	\$ 160	\$ 170	\$ 200	\$ 70	\$ 210	\$ 232.50
41 mph	\$ 88	\$ 176	\$ 123	\$ 164	\$ 175	\$ 205	\$ 71	\$ 212	\$ 232.50
42 mph	\$ 91	\$ 182	\$ 126	\$ 168	\$ 180	\$ 210	\$ 73	\$ 214	\$ 232.50
43 mph	\$ 94	\$ 188	\$ 129	\$ 172	\$ 185	\$ 215	\$ 73	\$ 216	\$ 232.50
44 mph	\$ 97	\$ 194	\$ 132	\$ 176	\$ 190	\$ 220	\$ 74	\$ 218	\$ 232.50
45 mph	\$ 100	\$ 200	\$ 135	\$ 180	\$ 195	\$ 225	\$ 75	\$ 220	\$ 232.50
46 mph	\$ 105	\$ 210	\$ 138	\$ 184	\$ 200	\$ 230	\$ 76	\$ 222	\$ 232.50
47 mph	\$ 110	\$ 220	\$ 141	\$ 188	\$ 205	\$ 235	\$ 77	\$ 224	\$ 232.50
48 mph	\$ 115	\$ 230	\$ 144	\$ 192	\$ 210	\$ 240	\$ 78	\$ 226	\$ 232.50
49 mph	\$ 120	\$ 240	\$ 147	\$ 196	\$ 215	\$ 245	\$ 79	\$ 228	\$ 232.50
50 mph	\$ 125	\$ 250	\$ 150	\$ 200	\$ 220	\$ 250	\$ 80	\$ 230	\$ 232.50
51 mph	\$ 130	\$ 260	\$ 153	\$ 204	\$ 225	\$ 255	\$ 81	\$ 232	\$ 232.50
52 mph	\$ 135	\$ 270	\$ 156	\$ 208	\$ 230	\$ 260	\$ 82	\$ 234	\$ 232.50
53 mph	\$ 140	\$ 280	\$ 159	\$ 212	\$ 235	\$ 265	\$ 83	\$ 236	\$ 232.50
54 mph	\$ 145	\$ 290	\$ 162	\$ 216	\$ 240	\$ 270	\$ 84	\$ 238	\$ 232.50
55 mph	\$ 150	\$ 300	\$ 165	\$ 220	\$ 245	\$ 275	\$ 85	\$ 240	\$ 232.50

N.D.C.C. § 40-05-06 allows a city to adopt an ordinance adding a fee of up to 100% the fine for speeding violations.

School zone fines when childred are present. Would revert back to the applicable speed limit zone if fine is greater in that zone.

Fines reflect construction zone fines effective August 1, 2025, as passed in SB 2193. Construction zone fines when workers are present. Would revert back to the applicable speed limit zone if fine is greater in that zone.

South Dakota adds a mandatory \$78.50 fee for speeding violations (https://ujs.sd.gov/media/gt5lb1gn/fine_and_bond_schedule.pdf)

2025 HOUSE STANDING COMMITTEE MINUTES

Transportation Committee Room JW327E, State Capitol

HB 1298
4/29/2025
Conference Committee

Relating to the amount of statutory fees, points assigned to driving records, speed limitations on multilane highways, variable speed limits, alteration of maximum speed limits on state highways, speed zone reduction limitations, and city fines and penalties; and to provide a penalty.

10:00 a.m. Chairman Koppelman called the meeting to order.

Members Present: Chairman Koppelman, Representatives Dressler, Morton; Chairman Rummel, Senators Hogan, Klein

Discussion Topics:

- Speeding fines
- Speeding zones violations
- Fine doubling
- Variable speed signs

10:00 a.m. Chairman Koppelman proposed amendment LC#25.0496.01009, testimony #45282.

10:02 a.m. Chairman Rummel proposed amendment LC#25.0496.01010, testimony #45291 and #45292.

10:20 a.m. Chairman Koppelman referenced previous amendments LC#25.0496.01006 and LC#25.0496.01007, from previous testimonies #45198 and 45197.

10:22 a.m. Chairman Rummel moved to Accept Senate Amendment LC#25.0496.01010 with additional study language.

10:22 a.m. Senator Klein seconded the motion.

10:24 a.m. Motion failed 3-3-0

10:25 a.m. Representative Dressler moved to Accept House Amendment LC#25.0496.01009 with additional study language.

10:25 a.m. Representative Morton seconded the motion.

10:26 a.m. Motion failed 3-3-0

10:26 a.m. Chairman Koppelman adjourned the meeting.

Janae Pinks, Committee Clerk

HB 1298 042925 1024 AM Roll Call Vote

Final Recommendation

HB 1298

Date Submitted: April 29, 2025, 10:24 a.m.

Recommendation: In Place Of

Amendment LC #: Pending LC #

Engrossed LC #: N/A

Motioned By: Rummel, Dean

Seconded By: Klein, Jerry

House Carrier: N/A

Senate Carrier: N/A

Emergency Clause: None

Vote Results: 3 - 3 - 0

Description: Amendment LC# 25.0496.01010 with clarification to the study language

Rep. Koppelman, Ben	Nay
Rep. Dressler, Ty	Nay
Rep. Morton, Desiree	Nay
Sen. Rummel, Dean	Yea
Sen. Hogan, Kathy	Yea
Sen. Klein, Jerry	Yea

HB 1298 042925 1026 AM Roll Call Vote

Final Recommendation

HB 1298

Date Submitted: April 29, 2025, 10:26 a.m.

Recommendation: In Place Of

Amendment LC #: Pending LC #

Engrossed LC #: N/A

Motioned By: Dressler, Ty

Seconded By: Morton, Desiree

House Carrier: N/A

Senate Carrier: N/A

Emergency Clause: None

Vote Results: 3 - 3 - 0

Description: Amendment LC# 25.0496.01009 with clarification to the study language

Rep. Koppelman, Ben	Yea
Rep. Dressler, Ty	Yea
Rep. Morton, Desiree	Yea
Sen. Rummel, Dean	Nay
Sen. Hogan, Kathy	Nay
Sen. Klein, Jerry	Nay

25.0496.01009
Title.

Prepared by the Legislative Council
staff for Representative Koppelman
April 28, 2025

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO

HOUSE BILL NO. 1298

Introduced by

Representatives Koppelman, Louser, Murphy, Pyle, Schneider, Vetter, Grueneich

Senators Cory, Meyer, Paulson, Roers

In place of amendment (25.0496.01003) adopted by the Senate, House Bill No. 1298 is amended by amendment (25.0496.01009) as follows:

1 A BILL ~~for an Act to amend and reenact subdivision i of subsection 1 of section 39-09-02 of the~~
2 ~~North Dakota Century Code, relating to speed limitations on multilane highways; and to provide~~
3 ~~a penalty for an Act to amend and reenact sections 39-06.1-06, 39-09-02, 39-09-04, and~~
4 ~~39-09-07.1, and subsection 2 of section 40-05-06 of the North Dakota Century Code, relating to~~
5 ~~the amount of statutory fees, speed limitations on multilane highways, variable speed limits,~~
6 ~~alteration of maximum speed limits on state highways, speed zone reduction limitations, and~~
7 ~~city fines and penalties; to provide for a legislative management report; and to provide a penalty.~~

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

9 ~~— **SECTION 1. AMENDMENT.** Subdivision i of subsection 1 of section 39-09-02 of the North~~
10 ~~Dakota Century Code is amended and reenacted as follows:~~

11 ~~— **i.** Seventy-five ~~Eighty~~ miles [120.70 ~~128.75~~ kilometers] an hour on~~
12 ~~access-controlled, paved and divided, multilane interstate highways, unless~~
13 ~~otherwise permitted, restricted, or required by conditions.~~

14 **SECTION 1. AMENDMENT.** Section 39-06.1-06 of the North Dakota Century Code is
15 amended and reenacted as follows:

16 **39-06.1-06. Amount of statutory fees.**

17 The fees required for a noncriminal disposition under section 39-06.1-02 or 39-06.1-03 must
18 be as follows:

19 1. For a nonmoving violation as defined in section 39-06.1-08, a fee of twenty dollars
20 except for a violation of any traffic parking regulation on any state charitable or penal

institution property or on the state capitol grounds, a fee in the amount of five dollars, excluding a violation of subsection 11 of section 39-01-15.

2. For a moving violation as defined in section 39-06.1-09, a fee of twenty dollars, except for:

a. A violation of section 39-10-26, 39-10-26.2, 39-10-41, or 39-10-42, a fee of fifty dollars.

b. A violation of section 39-10-05 involving failure to yield to a pedestrian or subsection 1 of section 39-10-28, a fee of fifty dollars.

c. A violation of section 39-21-41.2, a fee of twenty-five dollars.

d. A violation of subsection 1 of section 39-12-02, section 39-08-23, or section 39-08-25, a fee of one hundred dollars.

e. A violation of subdivision d of subsection 1 of section 39-12-04, a fee of one hundred dollars.

f. A violation of subsection 6 of section 39-04-37, a fee of one hundred dollars.

g. A violation of subsection 2 of section 39-10-21.1, a fee of two hundred fifty dollars.

h. A violation of section 39-10-59, a fee of five hundred dollars.

i. A violation of section 39-09-01, a fee of thirty dollars.

j. A violation of section 39-09-01.1, a fee of thirty dollars.

k. A violation of section 39-10-46 or 39-10-46.1, a fee of one hundred dollars.

l. A violation of subsection 1 of section 39-08-20, one hundred fifty dollars for a first violation and three hundred dollars for a second or subsequent violation in three years.

m. A violation of section 39-10-24 or 39-10-44, a fee of forty dollars.

n. A violation of section 39-10-50.1, a fee of fifty dollars.

o. A violation of section 39-19-03, a fee of fifty dollars.

3. For a violation of section 39-21-44 or a rule adopted under that section, a fee of two hundred fifty dollars.

4. Except as provided in ~~subsections 5 and 7~~ subsection 6, for a violation of section 39-09-02, or an equivalent ordinance, a fee ~~established as follows:~~

~~—Miles per hour over~~

lawful speed limit	Fee
1 - 5	\$ 5
6 - 10	\$ 5 plus \$1/each mph over 5 mph over limit
11 - 15	\$ 10 plus \$1/each mph over 10 mph over limit
16 - 20	\$ 15 plus \$2/each mph over 15 mph over limit
21 - 25	\$ 25 plus \$3/each mph over 20 mph over limit
26 - 35	\$ 40 plus \$3/each mph over 25 mph over limit
36 - 45	\$ 70 plus \$3/each mph over 35 mph over limit
46 +	\$100 plus \$5/each mph over 45 mph over limit
5. On a highway on which the speed limit is a speed higher than fifty-five miles [88.51 kilometers] an hour, for a violation of section 39-09-02, or an equivalent ordinance, a fee established as follows:	
Miles per hour over	Fee
1 - 10	\$2/each mph over limit
11 +	\$20 plus \$5/each mph over 10 mph over limit <u>of three dollars for each mile per hour over the limit, with a minimum fee of twenty dollars.</u>
6.5. For a violation of section 39-06.2-10.9 or subsection 3 of section 39-21-46, a fee established as follows:	
a. Driving more than eleven hours since the last ten hours off duty, driving after fourteen hours on duty since the last ten hours off duty, driving after sixty hours on duty in seven days or seventy hours in eight days, no record of duty status or log book in possession, failing to retain previous seven-day record of duty status or log book, or operating a vehicle with four to six out-of-service defects, one hundred dollars;	
b. False record of duty status or log book or operating a vehicle with seven to nine out-of-service defects, two hundred fifty dollars;	
c. Operating a vehicle after driver placed out of service, operating a vehicle with ten or more out-of-service defects, or operating a vehicle that has been placed out of service prior to its repair, five hundred dollars; and	

d. All other violations of motor carrier safety rules adopted under subsection 3 of section 39-21-46, fifty dollars.

~~7.6.~~ On a highway on which the speed limit is posted in excess of sixty-five miles [104.61 kilometers] an hour, for a violation of section 39-09-02, or equivalent ordinance, a fee of five dollars for each mile per hour over the limit.

~~8.7.~~ For a violation of a school zone speed limit under subdivision b of subsection 1 of section 39-09-02, a fee of forty dollars for one through ten miles per hour over the posted speed; and forty dollars, plus one dollar for each additional mile per hour over ten miles per hour over the limit unless a greater fee would be applicable under this section.

~~9.8.~~ For a violation of a highway construction zone speed limit under subsection 2 of section 39-09-02, a fee of eighty dollars for one through ten miles per hour over the posted speed; and eighty dollars plus two dollars for each mile per hour over ten miles per hour over the limit, unless a greater fee would be applicable under this section. The fee in this subsection does not apply to a highway construction zone unless individuals engaged in construction are present at the time and place of the violation and the posted speed limit sign states "Minimum Fee \$80".

SECTION 2. AMENDMENT. Section 39-09-02 of the North Dakota Century Code is amended and reenacted as follows:

39-09-02. Speed limitations.

1. Subject to the provisions of section 39-09-01 and except in those instances when a lower speed is specified in this chapter, it presumably is lawful for the driver of a vehicle to drive the same at a speed not exceeding:

a. Twenty miles [32.19 kilometers] an hour when approaching within fifty feet [15.24 meters] of a grade crossing of any steam, electric, or street railway when the driver's view is obstructed. A driver's view is deemed to be obstructed when at any time during the last two hundred feet [60.96 meters] of the driver's approach to such crossing, the driver does not have a clear and uninterrupted view of such railway crossing and of any traffic on such railway for a distance of four hundred feet [121.92 meters] in each direction from such crossing.

- 1 b. Twenty miles [32.19 kilometers] an hour when passing a school during school
2 recess or while children are going to or leaving school during opening or closing
3 hours, unless a lower speed is designated or posted by local authorities.
- 4 c. Twenty miles [32.19 kilometers] an hour when approaching within fifty feet [15.24
5 meters] and in traversing an intersection of highways when the driver's view is
6 obstructed. A driver's view is deemed to be obstructed when at any time during
7 the last fifty feet [15.24 meters] of the driver's approach to such intersection, the
8 driver does not have a clear and uninterrupted view of such intersection and of
9 the traffic upon all of the highways entering such intersection for a distance of two
10 hundred feet [60.96 meters] from such intersection.
- 11 d. Twenty miles [32.19 kilometers] an hour when the driver's view of the highway
12 ahead is obstructed within a distance of one hundred feet [30.48 meters].
- 13 e. Twenty-five miles [40.23 kilometers] an hour on any highway in a business district
14 or in a residence district or in a public park, unless a different speed is designated
15 and posted by local authorities.
- 16 f. Fifty-five miles [88.51 kilometers] an hour on gravel, dirt, or loose surface
17 highways, and on paved two-lane county and township highways if there is no
18 speed limit posted, unless otherwise permitted, restricted, or required by
19 conditions.
- 20 g. Sixty-five miles [104.61 kilometers] an hour on paved two-lane highways if posted
21 for that speed, unless otherwise permitted, restricted, or required by conditions.
- 22 h. Seventy miles [112.65 kilometers] an hour on paved and divided multilane
23 highways, unless otherwise permitted, restricted, or required by conditions.
- 24 i. ~~Seventy-five~~Eighty miles [~~120.70~~128.75 kilometers] an hour on
25 access-controlled, paved and divided, multilane interstate highways, unless
26 otherwise permitted, restricted, or required by conditions.
- 27 2. The director may designate and post special areas of state highways where lower
28 speed limits apply. Differing limits may be established for different times of the day
29 within highway construction zones which are effective when posted upon appropriate
30 fixed or variable speed limit signs.

3. The director may designate variable speed limit adjustment zones along the state highway system. The department may install variable speed limit signs in a variable speed limit adjustment zone. In each variable speed limit adjustment zone the director, in coordination with the superintendent of the highway patrol, may use real time intelligent transportation systems to adjust the speed limit when a speed limit adjustment would provide for the safe and efficient movement of motor vehicles.

4. Except as provided by law, ~~it is unlawful for any~~a person ~~to~~may not drive a vehicle ~~upon~~on a highway at a speed that is unsafe or at a speed exceeding the speed limit prescribed by law or established pursuant to law.

4.5. In charging a violation of the provisions of this section, the complaint must specify the speed at which the defendant is alleged to have driven and the speed which this section prescribes is prima facie lawful at the time and place of the alleged offense.

SECTION 3. AMENDMENT. Section 39-09-04 of the North Dakota Century Code is amended and reenacted as follows:

39-09-04. Alteration of maximum speed limits on state highways.

The maximum speed limits specified in section 39-09-02 may be altered on all or any part of the state highway system by an administrative order by the director after holding a public hearing ~~has been held~~. ~~Such~~The determination must be based on engineering and traffic investigations with primary consideration given to the establishment of reasonable and safe speeds, highway conditions, enforcement, and the general welfare. Speed limits established ~~pursuant to~~under this section ~~shall be~~are effective only when appropriate signs giving notice ~~thereof~~ are erected and ~~such~~the maximum speed limits may be declared ~~to be~~ effective at all times or at ~~such~~the times ~~as are~~ indicated ~~upon said~~on the signs. Differing limits may be established by the director for different times of the day, different types of vehicles, varying weather conditions, and other factors bearing on safe speeds, ~~which shall be~~. Differing limits are effective when posted ~~upon~~on appropriate fixed or variable signs. An administrative order is not required to lower maximum speed limits temporarily due to unsafe conditions.

SECTION 4. AMENDMENT. Section 39-09-07.1 of the North Dakota Century Code is amended and reenacted as follows:

39-09-07.1. Speed zones - Reduction limitation.

1. Except ~~for highway construction zones~~ under subsections 2 and 3, ~~no~~ a street, road, or highway in the state highway system or any other township, county, or state road or highway may not be posted in a manner which reduces the maximum speed limit on the street, road, or highway by more than twenty miles [32.19 kilometers] per hour between ~~any~~ two signs ~~so~~ posted in a speed zone.

2. The maximum speed limit reductions between two fixed or variable signs in a variable speed limit adjustment zone may exceed twenty miles [32.19 kilometers] per hour when speed limits are lowered temporarily by the director due to unsafe conditions.

3. The maximum speed limit reduction between ~~any~~ two signs posted in a highway construction zone may not exceed thirty miles [48.28 kilometers] per hour.

SECTION 5. AMENDMENT. Subsection 2 of section 40-05-06 of the North Dakota Century Code is amended and reenacted as follows:

2. For every violation of a city ordinance that regulates the operation or equipment of a motor vehicle or which regulates traffic, except those ordinances listed in section 39-06.1-05, a fee may be established, by ordinance, which may exceed, by up to one hundred percent, the limit, for an equivalent category of violation, set forth in section 39-06.1-06 except for a violation of a speed limitation.

SECTION 6. HIGHWAY PATROL STUDY - DRIVERS LICENSE POINTS SYSTEM -

REPORT TO LEGISLATIVE MANAGEMENT. During the 2025-26 interim, the highway patrol, in conjunction with local law enforcement, shall study the drivers license points system. The study must include a review of the drivers license points system and a recommended structure to improve the drivers license points system. On or before August 1, 2026, the highway patrol shall submit a report regarding its findings and recommendations, together with any legislation required to implement the recommendations, to the legislative management.

25.0496.01010
Title.

Prepared by the Legislative Council
staff for Senator Rummel
April 29, 2025

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO

HOUSE BILL NO. 1298

Introduced by

Representatives Koppelman, Louser, Murphy, Pyle, Schneider, Vetter, Grueneich

Senators Cory, Meyer, Paulson, Roers

In place of amendment (25.0496.01003) adopted by the Senate, House Bill No. 1298 is amended by amendment (25.0496.01010) as follows:

1 A BILL ~~for an Act to amend and reenact subdivision i of subsection 1 of section 39-09-02 of the~~
2 ~~North Dakota Century Code, relating to speed limitations on multilane highways; and to provide~~
3 ~~a penalty for an Act to amend and reenact sections 39-06.1-06, 39-09-02, 39-09-04, and~~
4 ~~39-09-07.1, and subsection 2 of section 40-05-06 of the North Dakota Century Code, relating to~~
5 ~~the amount of statutory fees, speed limitations on multilane highways, variable speed limits,~~
6 ~~alteration of maximum speed limits on state highways, speed zone reduction limitations, and~~
7 ~~city fines and penalties; to provide for a legislative management report; and to provide a penalty.~~

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

9 ~~— **SECTION 1. AMENDMENT.** Subdivision i of subsection 1 of section 39-09-02 of the North~~
10 ~~Dakota Century Code is amended and reenacted as follows:~~

11 ~~— **i.** Seventy-five ~~Eighty~~ miles [120.70 ~~128.75~~ kilometers] an hour on~~
12 ~~access-controlled, paved and divided, multilane interstate highways, unless~~
13 ~~otherwise permitted, restricted, or required by conditions.~~

14 **SECTION 1. AMENDMENT.** Section 39-06.1-06 of the North Dakota Century Code is
15 amended and reenacted as follows:

16 **39-06.1-06. Amount of statutory fees.**

17 The fees required for a noncriminal disposition under section 39-06.1-02 or 39-06.1-03 must
18 be as follows:

19 1. For a nonmoving violation as defined in section 39-06.1-08, a fee of twenty dollars
20 except for a violation of any traffic parking regulation on any state charitable or penal

institution property or on the state capitol grounds, a fee in the amount of five dollars, excluding a violation of subsection 11 of section 39-01-15.

2. For a moving violation as defined in section 39-06.1-09, a fee of twenty dollars, except for:

a. A violation of section 39-10-26, 39-10-26.2, 39-10-41, or 39-10-42, a fee of fifty dollars.

b. A violation of section 39-10-05 involving failure to yield to a pedestrian or subsection 1 of section 39-10-28, a fee of fifty dollars.

c. A violation of section 39-21-41.2, a fee of twenty-five dollars.

d. A violation of subsection 1 of section 39-12-02, section 39-08-23, or section 39-08-25, a fee of one hundred dollars.

e. A violation of subdivision d of subsection 1 of section 39-12-04, a fee of one hundred dollars.

f. A violation of subsection 6 of section 39-04-37, a fee of one hundred dollars.

g. A violation of subsection 2 of section 39-10-21.1, a fee of two hundred fifty dollars.

h. A violation of section 39-10-59, a fee of five hundred dollars.

i. A violation of section 39-09-01, a fee of thirty dollars.

j. A violation of section 39-09-01.1, a fee of thirty dollars.

k. A violation of section 39-10-46 or 39-10-46.1, a fee of one hundred dollars.

l. A violation of subsection 1 of section 39-08-20, one hundred fifty dollars for a first violation and three hundred dollars for a second or subsequent violation in three years.

m. A violation of section 39-10-24 or 39-10-44, a fee of forty dollars.

n. A violation of section 39-10-50.1, a fee of fifty dollars.

o. A violation of section 39-19-03, a fee of fifty dollars.

3. For a violation of section 39-21-44 or a rule adopted under that section, a fee of two hundred fifty dollars.

4. Except as provided in ~~subsections~~subsection ~~5-and-7~~, for a violation of section 39-09-02, or an equivalent ordinance, a fee ~~established as follows:~~

~~Miles per hour over~~

lawful speed limit	Fee
1 - 5	\$ 5
6 - 10	\$ 5 plus \$1/each mph over 5 mph over limit
11 - 15	\$ 10 plus \$1/each mph over 10 mph over limit
16 - 20	\$ 15 plus \$2/each mph over 15 mph over limit
21 - 25	\$ 25 plus \$3/each mph over 20 mph over limit
26 - 35	\$ 40 plus \$3/each mph over 25 mph over limit
36 - 45	\$ 70 plus \$3/each mph over 35 mph over limit
46 +	\$100 plus \$5/each mph over 45 mph over limit <u>of twenty dollars, or three dollars for each mile per hour over the limit, whichever is greater.</u>

5. On a highway on which the speed limit is a speed higher than fifty-five miles [88.51 kilometers] an hour, for a violation of section 39-09-02, or an equivalent ordinance, a fee ~~established as follows:~~

Miles per hour over	lawful speed limit	Fee
1 - 10		\$2/each mph over limit
11 +		\$20 plus \$5/each mph over 10 mph over limit <u>of twenty dollars, or five dollars for each mile per hour over the limit, whichever is greater.</u>

6. For a violation of section 39-06.2-10.9 or subsection 3 of section 39-21-46, a fee established as follows:

- a. Driving more than eleven hours since the last ten hours off duty, driving after fourteen hours on duty since the last ten hours off duty, driving after sixty hours on duty in seven days or seventy hours in eight days, no record of duty status or log book in possession, failing to retain previous seven-day record of duty status or log book, or operating a vehicle with four to six out-of-service defects, one hundred dollars;
- b. False record of duty status or log book or operating a vehicle with seven to nine out-of-service defects, two hundred fifty dollars;
- c. Operating a vehicle after driver placed out of service, operating a vehicle with ten or more out-of-service defects, or operating a vehicle that has been placed out of service prior to its repair, five hundred dollars; and

d. All other violations of motor carrier safety rules adopted under subsection 3 of section 39-21-46, fifty dollars.

7. ~~On a highway on which the speed limit is posted in excess of sixty-five miles [104.61 kilometers] an hour, for a violation of section 39-09-02, or equivalent ordinance, a fee of five dollars for each mile per hour over the limit.~~

~~8.~~ For a violation of a school zone speed limit under subdivision b of subsection 1 of section 39-09-02, a fee of forty dollars for one through ten miles per hour over the posted speed; and forty dollars, plus one dollar for each additional mile per hour over ten miles per hour over the limit unless a greater fee would be applicable under this section.

9.8. For a violation of a highway construction zone speed limit under subsection 2 of section 39-09-02, a fee of eighty dollars for one through ten miles per hour over the posted speed; and eighty dollars plus two dollars for each mile per hour over ten miles per hour over the limit, unless a greater fee would be applicable under this section. The fee in this subsection does not apply to a highway construction zone unless individuals engaged in construction are present at the time and place of the violation and the posted speed limit sign states "Minimum Fee \$80".

SECTION 2. AMENDMENT. Section 39-09-02 of the North Dakota Century Code is amended and reenacted as follows:

39-09-02. Speed limitations.

1. Subject to the provisions of section 39-09-01 and except in those instances when a lower speed is specified in this chapter, it presumably is lawful for the driver of a vehicle to drive the same at a speed not exceeding:

a. Twenty miles [32.19 kilometers] an hour when approaching within fifty feet [15.24 meters] of a grade crossing of any steam, electric, or street railway when the driver's view is obstructed. A driver's view is deemed to be obstructed when at any time during the last two hundred feet [60.96 meters] of the driver's approach to such crossing, the driver does not have a clear and uninterrupted view of such railway crossing and of any traffic on such railway for a distance of four hundred feet [121.92 meters] in each direction from such crossing.

- 1 b. Twenty miles [32.19 kilometers] an hour when passing a school during school
2 recess or while children are going to or leaving school during opening or closing
3 hours, unless a lower speed is designated or posted by local authorities.
- 4 c. Twenty miles [32.19 kilometers] an hour when approaching within fifty feet [15.24
5 meters] and in traversing an intersection of highways when the driver's view is
6 obstructed. A driver's view is deemed to be obstructed when at any time during
7 the last fifty feet [15.24 meters] of the driver's approach to such intersection, the
8 driver does not have a clear and uninterrupted view of such intersection and of
9 the traffic upon all of the highways entering such intersection for a distance of two
10 hundred feet [60.96 meters] from such intersection.
- 11 d. Twenty miles [32.19 kilometers] an hour when the driver's view of the highway
12 ahead is obstructed within a distance of one hundred feet [30.48 meters].
- 13 e. Twenty-five miles [40.23 kilometers] an hour on any highway in a business district
14 or in a residence district or in a public park, unless a different speed is designated
15 and posted by local authorities.
- 16 f. Fifty-five miles [88.51 kilometers] an hour on gravel, dirt, or loose surface
17 highways, and on paved two-lane county and township highways if there is no
18 speed limit posted, unless otherwise permitted, restricted, or required by
19 conditions.
- 20 g. Sixty-five miles [104.61 kilometers] an hour on paved two-lane highways if posted
21 for that speed, unless otherwise permitted, restricted, or required by conditions.
- 22 h. Seventy miles [112.65 kilometers] an hour on paved and divided multilane
23 highways, unless otherwise permitted, restricted, or required by conditions.
- 24 i. ~~Seventy-five~~Eighty miles [~~120.70~~128.75 kilometers] an hour on
25 access-controlled, paved and divided, multilane interstate highways, unless
26 otherwise permitted, restricted, or required by conditions.
- 27 2. The director may designate and post special areas of state highways where lower
28 speed limits apply. Differing limits may be established for different times of the day
29 within highway construction zones which are effective when posted upon appropriate
30 fixed or variable speed limit signs.

3. The director may designate variable speed limit adjustment zones along the state highway system. The department may install variable speed limit signs in a variable speed limit adjustment zone. In each variable speed limit adjustment zone the director, in coordination with the superintendent of the highway patrol, may use real time intelligent transportation systems to adjust the speed limit when a speed limit adjustment would provide for the safe and efficient movement of motor vehicles.

4. Except as provided by law, ~~it is unlawful for any~~a person ~~to~~may not drive a vehicle ~~upon~~on a highway at a speed that is unsafe or at a speed exceeding the speed limit prescribed by law or established pursuant to law.

4.5. In charging a violation of the provisions of this section, the complaint must specify the speed at which the defendant is alleged to have driven and the speed which this section prescribes is prima facie lawful at the time and place of the alleged offense.

SECTION 3. AMENDMENT. Section 39-09-04 of the North Dakota Century Code is amended and reenacted as follows:

39-09-04. Alteration of maximum speed limits on state highways.

The maximum speed limits specified in section 39-09-02 may be altered on all or any part of the state highway system by an administrative order by the director after holding a public hearing ~~has been held~~. ~~Such~~The determination must be based on engineering and traffic investigations with primary consideration given to the establishment of reasonable and safe speeds, highway conditions, enforcement, and the general welfare. Speed limits established ~~pursuant to~~under this section ~~shall be~~are effective only when appropriate signs giving notice ~~thereof~~ are erected and ~~such~~the maximum speed limits may be declared ~~to be~~ effective at all times or at ~~such~~the times ~~as are~~ indicated ~~upon said~~on the signs. Differing limits may be established by the director for different times of the day, different types of vehicles, varying weather conditions, and other factors bearing on safe speeds, ~~which shall be~~. Differing limits are effective when posted upon appropriate fixed or variable signs. An administrative order is not required to lower maximum speed limits temporarily due to unsafe conditions.

SECTION 4. AMENDMENT. Section 39-09-07.1 of the North Dakota Century Code is amended and reenacted as follows:

39-09-07.1. Speed zones - Reduction limitation.

1. Except ~~for highway construction zones~~ under subsections 2 and 3, ~~no~~ a street, road, or highway in the state highway system or any other township, county, or state road or highway may not be posted in a manner which reduces the maximum speed limit on the street, road, or highway by more than twenty miles [32.19 kilometers] per hour between ~~any~~ two signs ~~so~~ posted in a speed zone.

2. The maximum speed limit reductions between two fixed or variable signs in a variable speed limit adjustment zone may exceed twenty miles [32.19 kilometers] per hour when speed limits are lowered temporarily by the director due to unsafe conditions.

3. The maximum speed limit reduction between ~~any~~ two signs posted in a highway construction zone may not exceed thirty miles [48.28 kilometers] per hour.

SECTION 5. AMENDMENT. Subsection 2 of section 40-05-06 of the North Dakota Century Code is amended and reenacted as follows:

2. For every violation of a city ordinance that regulates the operation or equipment of a motor vehicle or which regulates traffic, except those ordinances listed in section 39-06.1-05, a fee may be established, by ordinance, which may exceed, by up to one hundred percent, the limit, for an equivalent category of violation, set forth in section 39-06.1-06 except for a violation of a speed limitation.

SECTION 6. HIGHWAY PATROL STUDY - DRIVERS LICENSE POINTS SYSTEM -

REPORT TO LEGISLATIVE MANAGEMENT. During the 2025-26 interim, the highway patrol, in conjunction with local law enforcement, shall study the drivers license points system. The study must include a review of the drivers license points system and a recommended structure to improve the drivers license points system. On or before August 1, 2026, the highway patrol shall submit a report regarding its findings and recommendations, together with any legislation required to implement the recommendations, to the legislative management.

1 V M A C I
1248 4/28

Speeding Fines

	North Dakota Speeding Fines							South Dakota Speeding Fines
	25 mph to 55 mph zone	25 mph to 55 mph zone (city doubled)	Proposal Min of \$20 and \$3 per MPH 25 mph to 55 mph zone	60 and 65 mph zone	Proposal Min of \$20 and \$5 per MPH above 55 MPH	School zone with children	Construction zone with workers	All Speed Zones
MPH Over	Fine	Fine + Fee	Fine	Fine	Fine	Fine	Fine	Fine + Fee
1 mph	\$ 5	\$ 10	\$ 20	\$ 2	\$ 20	\$ 40	\$ 150	\$ 97.50
2 mph	\$ 5	\$ 10	\$ 20	\$ 4	\$ 20	\$ 40	\$ 150	\$ 97.50
3 mph	\$ 5	\$ 10	\$ 20	\$ 6	\$ 20	\$ 40	\$ 150	\$ 97.50
4 mph	\$ 5	\$ 10	\$ 20	\$ 8	\$ 20	\$ 40	\$ 150	\$ 97.50
5 mph	\$ 5	\$ 10	\$ 20	\$ 10	\$ 25	\$ 40	\$ 150	\$ 97.50
6 mph	\$ 6	\$ 12	\$ 20	\$ 12	\$ 30	\$ 40	\$ 150	\$ 117.50
7 mph	\$ 7	\$ 14	\$ 21	\$ 14	\$ 35	\$ 40	\$ 150	\$ 117.50
8 mph	\$ 8	\$ 16	\$ 24	\$ 16	\$ 40	\$ 40	\$ 150	\$ 117.50
9 mph	\$ 9	\$ 18	\$ 27	\$ 18	\$ 45	\$ 40	\$ 150	\$ 117.50
10 mph	\$ 10	\$ 20	\$ 30	\$ 20	\$ 50	\$ 40	\$ 150	\$ 117.50
11 mph	\$ 11	\$ 22	\$ 33	\$ 25	\$ 55	\$ 41	\$ 152	\$ 137.50
12 mph	\$ 12	\$ 24	\$ 36	\$ 30	\$ 60	\$ 42	\$ 154	\$ 137.50
13 mph	\$ 13	\$ 26	\$ 39	\$ 35	\$ 65	\$ 43	\$ 156	\$ 137.50
14 mph	\$ 14	\$ 28	\$ 42	\$ 40	\$ 70	\$ 44	\$ 158	\$ 137.50
15 mph	\$ 15	\$ 30	\$ 45	\$ 45	\$ 75	\$ 45	\$ 160	\$ 137.50
16 mph	\$ 17	\$ 34	\$ 48	\$ 50	\$ 80	\$ 46	\$ 162	\$ 157.50
17 mph	\$ 19	\$ 38	\$ 51	\$ 55	\$ 85	\$ 47	\$ 164	\$ 157.50
18 mph	\$ 21	\$ 42	\$ 54	\$ 60	\$ 90	\$ 48	\$ 166	\$ 157.50
19 mph	\$ 23	\$ 46	\$ 57	\$ 65	\$ 95	\$ 49	\$ 168	\$ 157.50
20 mph	\$ 25	\$ 50	\$ 60	\$ 70	\$ 100	\$ 50	\$ 170	\$ 157.50
21 mph	\$ 28	\$ 56	\$ 63	\$ 75	\$ 105	\$ 51	\$ 172	\$ 177.50
22 mph	\$ 31	\$ 62	\$ 66	\$ 80	\$ 110	\$ 52	\$ 174	\$ 177.50
23 mph	\$ 34	\$ 68	\$ 69	\$ 85	\$ 115	\$ 53	\$ 176	\$ 177.50
24 mph	\$ 37	\$ 74	\$ 72	\$ 90	\$ 120	\$ 54	\$ 178	\$ 177.50
25 mph	\$ 40	\$ 80	\$ 75	\$ 95	\$ 125	\$ 55	\$ 180	\$ 177.50
26 mph	\$ 43	\$ 86	\$ 78	\$ 100	\$ 130	\$ 56	\$ 182	\$ 232.50
27 mph	\$ 46	\$ 92	\$ 81	\$ 105	\$ 135	\$ 57	\$ 184	\$ 232.50
28 mph	\$ 49	\$ 98	\$ 84	\$ 110	\$ 140	\$ 58	\$ 186	\$ 232.50
29 mph	\$ 52	\$ 104	\$ 87	\$ 115	\$ 145	\$ 59	\$ 188	\$ 232.50
30 mph	\$ 55	\$ 110	\$ 90	\$ 120	\$ 150	\$ 60	\$ 190	\$ 232.50

	25 mph to 55 mph zone	25 mph to 55 mph zone (city doubled)	Proposal Min of \$20 and \$3 per MPH 25 mph to 55 mph zone	60 and 65 mph zone	Proposal Min of \$20 and \$5 per MPH above 55 MPH	School zone with children	Construction zone with workers	All Speed Zones
MPH Over	Fine	Fine + Fee	Fine	Fine	Fine	Fine	Fine	Fine + Fee
31 mph	\$ 58	\$ 116	\$ 93	\$ 125	\$ 155	\$ 61	\$ 192	\$ 232.50
32 mph	\$ 61	\$ 122	\$ 96	\$ 130	\$ 160	\$ 62	\$ 194	\$ 232.50
33 mph	\$ 64	\$ 128	\$ 99	\$ 135	\$ 165	\$ 63	\$ 196	\$ 232.50
34 mph	\$ 67	\$ 134	\$ 102	\$ 140	\$ 170	\$ 64	\$ 198	\$ 232.50
35 mph	\$ 70	\$ 140	\$ 105	\$ 145	\$ 175	\$ 65	\$ 200	\$ 232.50
36 mph	\$ 73	\$ 146	\$ 108	\$ 150	\$ 180	\$ 66	\$ 202	\$ 232.50
37 mph	\$ 76	\$ 152	\$ 111	\$ 155	\$ 185	\$ 67	\$ 204	\$ 232.50
38 mph	\$ 79	\$ 158	\$ 114	\$ 160	\$ 190	\$ 68	\$ 206	\$ 232.50
39 mph	\$ 82	\$ 164	\$ 117	\$ 165	\$ 195	\$ 69	\$ 208	\$ 232.50
40 mph	\$ 85	\$ 170	\$ 120	\$ 170	\$ 200	\$ 70	\$ 210	\$ 232.50
41 mph	\$ 88	\$ 176	\$ 123	\$ 175	\$ 205	\$ 71	\$ 212	\$ 232.50
42 mph	\$ 91	\$ 182	\$ 126	\$ 180	\$ 210	\$ 73	\$ 214	\$ 232.50
43 mph	\$ 94	\$ 188	\$ 129	\$ 185	\$ 215	\$ 73	\$ 216	\$ 232.50
44 mph	\$ 97	\$ 194	\$ 132	\$ 190	\$ 220	\$ 74	\$ 218	\$ 232.50
45 mph	\$ 100	\$ 200	\$ 135	\$ 195	\$ 225	\$ 75	\$ 220	\$ 232.50
46 mph	\$ 105	\$ 210	\$ 138	\$ 200	\$ 230	\$ 76	\$ 222	\$ 232.50
47 mph	\$ 110	\$ 220	\$ 141	\$ 205	\$ 235	\$ 77	\$ 224	\$ 232.50
48 mph	\$ 115	\$ 230	\$ 144	\$ 210	\$ 240	\$ 78	\$ 226	\$ 232.50
49 mph	\$ 120	\$ 240	\$ 147	\$ 215	\$ 245	\$ 79	\$ 228	\$ 232.50
50 mph	\$ 125	\$ 250	\$ 150	\$ 220	\$ 250	\$ 80	\$ 230	\$ 232.50
51 mph	\$ 130	\$ 260	\$ 153	\$ 225	\$ 255	\$ 81	\$ 232	\$ 232.50
52 mph	\$ 135	\$ 270	\$ 156	\$ 230	\$ 260	\$ 82	\$ 234	\$ 232.50
53 mph	\$ 140	\$ 280	\$ 159	\$ 235	\$ 265	\$ 83	\$ 236	\$ 232.50
54 mph	\$ 145	\$ 290	\$ 162	\$ 240	\$ 270	\$ 84	\$ 238	\$ 232.50
55 mph	\$ 150	\$ 300	\$ 165	\$ 245	\$ 275	\$ 85	\$ 240	\$ 232.50

N.D.C.C. § 40-05-06 allows a city to adopt an ordinance adding a fee of up to 100% the fine for speeding violations.

School zone fines when childred are present. Would revert back to the applicable speed limit zone if fine is greater in that zone.

Fines reflect construction zone fines effective August 1, 2025, as passed in SB 2193. Construction zone fines when workers are present. Would revert back to the applicable speed limit zone if fine is greater in that zone.

South Dakota adds a mandatory \$78.50 fee for speeding violations

(https://ujs.sd.gov/media/gt5lb1gn/fine_and_bond_schedule.pdf)

2025 HOUSE STANDING COMMITTEE MINUTES

Transportation Committee Room JW327E, State Capitol

HB 1298
4/29/2025
Conference Committee

Relating to the amount of statutory fees, points assigned to driving records, speed limitations on multilane highways, variable speed limits, alteration of maximum speed limits on state highways, speed zone reduction limitations, and city fines and penalties; and to provide a penalty.

11:30 a.m. Chairman Koppelman called the meeting to order.

Members Present: Chairman Koppelman, Representatives Dressler, Morton; Chairman Rummel, Senators Hogan, Klein

Discussion Topics:

- Speeding fine increments
- SB 2243
- Speeding zones
- Insurance reporting

11:33 a.m. Chairman Rummel, District 37, proposed adding section 1, subsection 9 from SB 2243 to amendment LC#25.0496.01009, testimony #45302.

11:48 a.m. Representative Dressler moved to Accept House Amendment LC#25.0496.01009 with a twenty-dollar minimum fine, three dollars per mile, and an increase of fifty dollars if twenty-one miles per hour or more, in place of LC#25.0496.01003.

11:48 a.m. Representative Morton seconded the motion.

11:54 a.m. Motion failed 3-3-0

11:55 a.m. Chairman Rummel moved LC#25.0496.01011 in place of LC#25.0496.01003.

11:56 a.m. Representative Morton seconded the motion.

11:58 a.m. Motion passed 4-2-0

11:58 a.m. Chairman Koppelman will carry the bill.

11:58 a.m. Chairman Rummel will carry the bill.

11:59 a.m. Chairman Koppelman adjourned the meeting.

Janae Pinks, Committee Clerk

April 29, 2025

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO

CO
4/29/25
1 of 7

HOUSE BILL NO. 1298

Introduced by

Representatives Koppelman, Louser, Murphy, Pyle, Schneider, Vetter, Grueneich

Senators Cory, Meyer, Paulson, Roers

In place of amendment (25.0496.01003) adopted by the Senate, House Bill No. 1298 is amended by amendment (25.0496.01011) as follows:

1 A BILL ~~for an Act to amend and reenact subdivision i of subsection 1 of section 39-09-02 of the~~
2 ~~North Dakota Century Code, relating to speed limitations on multilane highways; and to provide~~
3 ~~a penalty.~~ for an Act to amend and reenact sections 39-06.1-06, 39-09-02, 39-09-04, and
4 39-09-07.1, and subsection 2 of section 40-05-06 of the North Dakota Century Code, relating to
5 the amount of statutory fees, speed limitations on multilane highways, variable speed limits,
6 alteration of maximum speed limits on state highways, speed zone reduction limitations, and
7 city fines and penalties; to provide for a legislative management report; and to provide a penalty.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

9 ~~SECTION 1. AMENDMENT. Subdivision i of subsection 1 of section 39-09-02 of the North~~
10 ~~Dakota Century Code is amended and reenacted as follows:~~

11 ~~i. Seventy five~~ Eighty miles [120.70128.75 kilometers] an hour on
12 ~~access-controlled, paved and divided, multilane interstate highways, unless~~
13 ~~otherwise permitted, restricted, or required by conditions.~~

14 **SECTION 1. AMENDMENT.** Section 39-06.1-06 of the North Dakota Century Code is
15 amended and reenacted as follows:

39-06.1-06. Amount of statutory fees.

17 The fees required for a noncriminal disposition under section 39-06.1-02 or 39-06.1-03 must
18 be as follows:

- 19 1. For a nonmoving violation as defined in section 39-06.1-08, a fee of twenty dollars
20 except for a violation of any traffic parking regulation on any state charitable or penal

- 1 institution property or on the state capitol grounds, a fee in the amount of five dollars,
2 excluding a violation of subsection 11 of section 39-01-15.
- 3 2. For a moving violation as defined in section 39-06.1-09, a fee of twenty dollars, except
4 for:
- 5 a. A violation of section 39-10-26, 39-10-26.2, 39-10-41, or 39-10-42, a fee of fifty
6 dollars.
- 7 b. A violation of section 39-10-05 involving failure to yield to a pedestrian or
8 subsection 1 of section 39-10-28, a fee of fifty dollars.
- 9 c. A violation of section 39-21-41.2, a fee of twenty-five dollars.
- 10 d. A violation of subsection 1 of section 39-12-02, section 39-08-23, or section
11 39-08-25, a fee of one hundred dollars.
- 12 e. A violation of subdivision d of subsection 1 of section 39-12-04, a fee of one
13 hundred dollars.
- 14 f. A violation of subsection 6 of section 39-04-37, a fee of one hundred dollars.
- 15 g. A violation of subsection 2 of section 39-10-21.1, a fee of two hundred fifty
16 dollars.
- 17 h. A violation of section 39-10-59, a fee of five hundred dollars.
- 18 i. A violation of section 39-09-01, a fee of thirty dollars.
- 19 j. A violation of section 39-09-01.1, a fee of thirty dollars.
- 20 k. A violation of section 39-10-46 or 39-10-46.1, a fee of one hundred dollars.
- 21 l. A violation of subsection 1 of section 39-08-20, one hundred fifty dollars for a first
22 violation and three hundred dollars for a second or subsequent violation in three
23 years.
- 24 m. A violation of section 39-10-24 or 39-10-44, a fee of forty dollars.
- 25 n. A violation of section 39-10-50.1, a fee of fifty dollars.
- 26 o. A violation of section 39-19-03, a fee of fifty dollars.
- 27 3. For a violation of section 39-21-44 or a rule adopted under that section, a fee of two
28 hundred fifty dollars.
- 29 4. Except as provided in ~~subsections 5 and 7~~ subsection 6, for a violation of section
30 39-09-02, or an equivalent ordinance, a fee ~~established as follows:~~
- 31 ~~Miles per hour over~~

1	lawful speed limit	Fee
2	1 - 5	\$ 5
3	6 - 10	\$ 5 plus \$1/each mph over 5 mph over limit
4	11 - 15	\$ 10 plus \$1/each mph over 10 mph over limit
5	16 - 20	\$ 15 plus \$2/each mph over 15 mph over limit
6	21 - 25	\$ 25 plus \$3/each mph over 20 mph over limit
7	26 - 35	\$ 40 plus \$3/each mph over 25 mph over limit
8	36 - 45	\$ 70 plus \$3/each mph over 35 mph over limit
9	46 +	\$100 plus \$5/each mph over 45 mph over limit
10	5. On a highway on which the speed limit is a speed higher than fifty-five miles	
11	[88.51 kilometers] an hour, for a violation of section 39-09-02, or an equivalent	
12	ordinance, a fee established as follows:	
13	Miles per hour over	
14	lawful speed limit	Fee
15	1 - 10	\$2/each mph over limit
16	11 +	\$20 plus \$5/each mph over 10 mph over limit
17	<u>of twenty dollars, or three dollars for each</u>	
18	<u>mile per hour over the limit, whichever is greater. An additional fee of twenty dollars</u>	
19	<u>must be assessed for a violation of sixteen miles per hour or more over the limit.</u>	
20	6.5. For a violation of section 39-06.2-10.9 or subsection 3 of section 39-21-46, a fee	
21	established as follows:	
22	a. Driving more than eleven hours since the last ten hours off duty, driving after	
23	fourteen hours on duty since the last ten hours off duty, driving after sixty hours	
24	on duty in seven days or seventy hours in eight days, no record of duty status or	
25	log book in possession, failing to retain previous seven-day record of duty status	
26	or log book, or operating a vehicle with four to six out-of-service defects, one	
27	hundred dollars;	
28	b. False record of duty status or log book or operating a vehicle with seven to nine	
29	out-of-service defects, two hundred fifty dollars;	
30	c. Operating a vehicle after driver placed out of service, operating a vehicle with ten	
31	or more out-of-service defects, or operating a vehicle that has been placed out of	
	service prior to its repair, five hundred dollars; and	

d. All other violations of motor carrier safety rules adopted under subsection 3 of section 39-21-46, fifty dollars.

~~7.6.~~ On a highway on which the speed limit is posted in excess of sixty-five miles [104.61 kilometers] an hour, for a violation of section 39-09-02, or equivalent ordinance, a fee of twenty dollars, or five dollars for each mile per hour over the limit, whichever is greater. An additional fee of twenty dollars must be assessed for a violation of sixteen miles per hour or more over the limit.

~~8.7.~~ For a violation of a school zone speed limit under subdivision b of subsection 1 of section 39-09-02, a fee of forty dollars for one through ten miles per hour over the posted speed; and forty dollars, plus one dollar for each additional mile per hour over ten miles per hour over the limit unless a greater fee would be applicable under this section.

~~9.8.~~ For a violation of a highway construction zone speed limit under subsection 2 of section 39-09-02, a fee of eighty dollars for one through ten miles per hour over the posted speed; and eighty dollars plus two dollars for each mile per hour over ten miles per hour over the limit, unless a greater fee would be applicable under this section. The fee in this subsection does not apply to a highway construction zone unless individuals engaged in construction are present at the time and place of the violation and the posted speed limit sign states "Minimum Fee \$80".

SECTION 2. AMENDMENT. Section 39-09-02 of the North Dakota Century Code is amended and reenacted as follows:

39-09-02. Speed limitations.

1. Subject to the provisions of section 39-09-01 and except in those instances when a lower speed is specified in this chapter, it presumably is lawful for the driver of a vehicle to drive the same at a speed not exceeding:

a. Twenty miles [32.19 kilometers] an hour when approaching within fifty feet [15.24 meters] of a grade crossing of any steam, electric, or street railway when the driver's view is obstructed. A driver's view is deemed to be obstructed when at any time during the last two hundred feet [60.96 meters] of the driver's approach to such crossing, the driver does not have a clear and uninterrupted view of such

- 1 railway crossing and of any traffic on such railway for a distance of four hundred
2 feet [121.92 meters] in each direction from such crossing.
- 3 b. Twenty miles [32.19 kilometers] an hour when passing a school during school
4 recess or while children are going to or leaving school during opening or closing
5 hours, unless a lower speed is designated or posted by local authorities.
- 6 c. Twenty miles [32.19 kilometers] an hour when approaching within fifty feet [15.24
7 meters] and in traversing an intersection of highways when the driver's view is
8 obstructed. A driver's view is deemed to be obstructed when at any time during
9 the last fifty feet [15.24 meters] of the driver's approach to such intersection, the
10 driver does not have a clear and uninterrupted view of such intersection and of
11 the traffic upon all of the highways entering such intersection for a distance of two
12 hundred feet [60.96 meters] from such intersection.
- 13 d. Twenty miles [32.19 kilometers] an hour when the driver's view of the highway
14 ahead is obstructed within a distance of one hundred feet [30.48 meters].
- 15 e. Twenty-five miles [40.23 kilometers] an hour on any highway in a business district
16 or in a residence district or in a public park, unless a different speed is designated
17 and posted by local authorities.
- 18 f. Fifty-five miles [88.51 kilometers] an hour on gravel, dirt, or loose surface
19 highways, and on paved two-lane county and township highways if there is no
20 speed limit posted, unless otherwise permitted, restricted, or required by
21 conditions.
- 22 g. Sixty-five miles [104.61 kilometers] an hour on paved two-lane highways if posted
23 for that speed, unless otherwise permitted, restricted, or required by conditions.
- 24 h. Seventy miles [112.65 kilometers] an hour on paved and divided multilane
25 highways, unless otherwise permitted, restricted, or required by conditions.
- 26 i. ~~Seventy-five~~Eighty miles [~~120.70~~128.75 kilometers] an hour on
27 access-controlled, paved and divided, multilane interstate highways, unless
28 otherwise permitted, restricted, or required by conditions.
- 29 2. The director may designate and post special areas of state highways where lower
30 speed limits apply. Differing limits may be established for different times of the day

within highway construction zones which are effective when posted upon appropriate fixed or variable speed limit signs.

3. The director may designate variable speed limit adjustment zones along the state highway system. The department may install variable speed limit signs in a variable speed limit adjustment zone. In each variable speed limit adjustment zone the director, in coordination with the superintendent of the highway patrol, may use real time intelligent transportation systems to adjust the speed limit when a speed limit adjustment would provide for the safe and efficient movement of motor vehicles.

4. Except as provided by law, ~~it is unlawful for any~~ a person ~~to~~ may not drive a vehicle ~~upon~~ on a highway at a speed that is unsafe or at a speed exceeding the speed limit prescribed by law or established pursuant to law.

~~4.5.~~ In charging a violation of the provisions of this section, the complaint must specify the speed at which the defendant is alleged to have driven and the speed which this section prescribes is prima facie lawful at the time and place of the alleged offense.

SECTION 3. AMENDMENT. Section 39-09-04 of the North Dakota Century Code is amended and reenacted as follows:

39-09-04. Alteration of maximum speed limits on state highways.

The maximum speed limits specified in section 39-09-02 may be altered on all or any part of the state highway system by an administrative order by the director after holding a public hearing ~~has been held. Such~~ The determination must be based on engineering and traffic investigations with primary consideration given to the establishment of reasonable and safe speeds, highway conditions, enforcement, and the general welfare. Speed limits established ~~pursuant to~~ under this section ~~shall be~~ are effective only when appropriate signs giving notice ~~thereof~~ are erected and ~~such~~ the maximum speed limits may be declared ~~to be~~ effective at all times or at ~~such~~ the times ~~as are~~ indicated ~~upon said~~ on the signs. Differing limits may be established by the director for different times of the day, different types of vehicles, varying weather conditions, and other factors bearing on safe speeds, ~~which shall be.~~ Differing limits are effective when posted upon appropriate fixed or variable signs. An administrative order is not required to lower maximum speed limits temporarily due to unsafe conditions.

SECTION 4. AMENDMENT. Section 39-09-07.1 of the North Dakota Century Code is amended and reenacted as follows:

39-09-07.1. Speed zones - Reduction limitation.

1. Except ~~for highway construction zones~~ under subsections 2 and 3, ~~no~~ a street, road, or highway in the state highway system or any other township, county, or state road or highway may not be posted in a manner which reduces the maximum speed limit on the street, road, or highway by more than twenty miles [32.19 kilometers] per hour between ~~any~~ two signs ~~so~~ posted in a speed zone.

2. The maximum speed limit reductions between two fixed or variable signs in a variable speed limit adjustment zone may exceed twenty miles [32.19 kilometers] per hour when speed limits are lowered temporarily by the director due to unsafe conditions.

3. The maximum speed limit reduction between ~~any~~ two signs posted in a highway construction zone may not exceed thirty miles [48.28 kilometers] per hour.

SECTION 5. AMENDMENT. Subsection 2 of section 40-05-06 of the North Dakota Century Code is amended and reenacted as follows:

2. For every violation of a city ordinance that regulates the operation or equipment of a motor vehicle or which regulates traffic, except those ordinances listed in section 39-06.1-05, a fee may be established, by ordinance, which may exceed, by up to one hundred percent, the limit, for an equivalent category of violation, set forth in section 39-06.1-06 except for a violation of a speed limitation.

SECTION 6. HIGHWAY PATROL STUDY - DRIVERS LICENSE POINTS SYSTEM -

TRAFFIC FEE SCHEDULE - REPORT TO LEGISLATIVE MANAGEMENT. During the 2025-26 interim, the highway patrol, in conjunction with local law enforcement, shall study the drivers license points system and the traffic fee schedule. The study must include a review of the drivers license points system, the traffic fee schedule and a recommended structure to improve the drivers license points system and the traffic fee schedule. On or before August 1, 2026, the highway patrol shall submit a report regarding its findings and recommendations, together with any legislation required to implement the recommendations, to the legislative management.

HB 1298 042925 1155 AM Roll Call Vote

Final Recommendation

HB 1298

Date Submitted: April 29, 2025, 11:55 a.m.

Recommendation: In Place Of

Amendment LC #: Pending LC #

Engrossed LC #: N/A

Motioned By: Dressler, Ty

Seconded By: Morton, Desiree

House Carrier: N/A

Senate Carrier: N/A

Emergency Clause: None

Vote Results: 3 - 3 - 0

Description: Amendment LC #- 25.0496.01009 with a 50 dollar increase to the fee for speeding 21 miles per hour over the speed limit

Rep. Koppelman, Ben	Yea
Rep. Dressler, Ty	Yea
Rep. Morton, Desiree	Yea
Sen. Rummel, Dean	Nay
Sen. Hogan, Kathy	Nay
Sen. Klein, Jerry	Nay

HB 1298 042925 1157 AM Roll Call Vote

Final Recommendation

HB 1298

Date Submitted: April 29, 2025, 11:57 a.m.

Recommendation: In Place Of

Amendment LC #: 25.0496.01011

Engrossed LC #: N/A

Description:

Motioned By: Rummel, Dean

Seconded By: Morton, Desiree

House Carrier: Koppelman, Ben

Senate Carrier: Rummel, Dean

Emergency Clause: None

Vote Results: 4 - 2 - 0

Rep. Koppelman, Ben	Yea
Rep. Dressler, Ty	Nay
Rep. Morton, Desiree	Yea
Sen. Rummel, Dean	Yea
Sen. Hogan, Kathy	Yea
Sen. Klein, Jerry	Nay

**REPORT OF CONFERENCE COMMITTEE
HB 1298**

Your conference committee (Sens. Rummel, Hogan, Klein and Reps. Koppelman, Dressler, Morton) recommends that in place of amendment [25.0496.01003](#) adopted by the Senate, HB 1298 is amended by amendment [25.0496.01011](#).

HB 1298 was placed on the Seventh order of business on the calendar.

25.0727.02001
Title.03000

Adopted by the House Transportation
Committee

March 27, 2025

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO FIRST ENGROSSMENT

ENGROSSED SENATE BILL NO. 2243

Introduced by

Senators Clemens, Conley

Representatives Koppelman, Marschall, VanWinkle

1 A BILL for an Act to amend and reenact ~~subsection~~ section 39-06.1-06, subsections 1 and 3 of
2 section 39-06.1-10, and sections 40-05-06, and 40-11-12 of the North Dakota Century Code,
3 relating to the amount of statutory fees, entries against a driving record, points assigned to
4 driving records, limitations on city fines and penalties, and commitment of a guilty person for
5 nonpayment of fines or costs.

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

7 **SECTION 1. AMENDMENT.** Section 39-06.1-06 of the North Dakota Century Code is
8 amended and reenacted as follows:

9 **39-06.1-06. Amount of statutory fees.**

10 The fees required for a noncriminal disposition under section 39-06.1-02 or 39-06.1-03 must
11 be as follows:

- 12 1. For a nonmoving violation as defined in section 39-06.1-08, a fee of twenty dollars
13 except for a violation of any traffic parking regulation on any state charitable or penal
14 institution property or on the state capitol grounds, a fee in the amount of five dollars,
15 excluding a violation of subsection 11 of section 39-01-15.
- 16 2. For a moving violation as defined in section 39-06.1-09, a fee of twenty dollars, except
17 for:
 - 18 a. A violation of section 39-10-26, 39-10-26.2, 39-10-41, or 39-10-42, a fee of fifty
19 dollars.

- 1 b. A violation of section 39-10-05 involving failure to yield to a pedestrian or
2 subsection 1 of section 39-10-28, a fee of fifty dollars.
- 3 c. A violation of section 39-21-41.2, a fee of twenty-five dollars.
- 4 d. A violation of subsection 1 of section 39-12-02, section 39-08-23, or section
5 39-08-25, a fee of one hundred dollars.
- 6 e. A violation of subdivision d of subsection 1 of section 39-12-04, a fee of one
7 hundred dollars.
- 8 f. A violation of subsection 6 of section 39-04-37, a fee of one hundred dollars.
- 9 g. A violation of subsection 2 of section 39-10-21.1, a fee of two hundred fifty
10 dollars.
- 11 h. A violation of section 39-10-59, a fee of five hundred dollars.
- 12 i. A violation of section 39-09-01, a fee of thirty dollars.
- 13 j. A violation of section 39-09-01.1, a fee of thirty dollars.
- 14 k. A violation of section 39-10-46 or 39-10-46.1, a fee of one hundred dollars.
- 15 l. A violation of subsection 1 of section 39-08-20, one hundred fifty dollars for a first
16 violation and three hundred dollars for a second or subsequent violation in three
17 years.
- 18 m. A violation of section 39-10-24 or 39-10-44, a fee of forty dollars.
- 19 n. A violation of section 39-10-50.1, a fee of fifty dollars.
- 20 o. A violation of section 39-19-03, a fee of fifty dollars.
- 21 3. For a violation of section 39-21-44 or a rule adopted under that section, a fee of two
22 hundred fifty dollars.
- 23 4. ~~Except as provided in subsections 5 and 7, for a violation of section 39-09-02, or an~~
24 ~~equivalent ordinance, a fee established as follows:~~
- | Miles per hour over | lawful speed limit | Fee |
|--------------------------------|-------------------------------|---|
| 1 - 5 | | \$ 5 |
| 6 - 10 | | \$ 5 plus \$1/each mph over 5 mph over limit |
| 11 - 15 | | \$ 10 plus \$1/each mph over 10 mph over limit |
| 16 - 20 | | \$ 15 plus \$2/each mph over 15 mph over limit |
| 21 - 25 | | \$ 25 plus \$3/each mph over 20 mph over limit |

1 ~~26 - 35~~ \$ 40 plus \$3/each mph over 25 mph over limit

2 ~~36 - 45~~ \$ 70 plus \$3/each mph over 35 mph over limit

3 ~~46 +~~ \$100 plus \$5/each mph over 45 mph over limit

4 ~~5.~~ On a highway on which the speed limit is a speed ~~higher than fifty-five miles-~~
5 ~~[88.51 kilometers]~~ of sixty-five miles [104.61 kilometers] an hour or lower, for a violation
6 of section 39-09-02, or an equivalent ordinance, a fee established as follows:

7 Miles per hour over

8 lawful speed limit Fee

9 1 - 10 \$2/each mph over limit

10 11 + \$20 plus \$5/each mph over 10 mph over limit

11 ~~6.5.~~ For a violation of section 39-06.2-10.9 or subsection 3 of section 39-21-46, a fee
12 established as follows:

- 13 a. Driving more than eleven hours since the last ten hours off duty, driving after
14 fourteen hours on duty since the last ten hours off duty, driving after sixty hours
15 on duty in seven days or seventy hours in eight days, no record of duty status or
16 log book in possession, failing to retain previous seven-day record of duty status
17 or log book, or operating a vehicle with four to six out-of-service defects, one
18 hundred dollars;
- 19 b. False record of duty status or log book or operating a vehicle with seven to nine
20 out-of-service defects, two hundred fifty dollars;
- 21 c. Operating a vehicle after driver placed out of service, operating a vehicle with ten
22 or more out-of-service defects, or operating a vehicle that has been placed out of
23 service prior to its repair, five hundred dollars; and
- 24 d. All other violations of motor carrier safety rules adopted under subsection 3 of
25 section 39-21-46, fifty dollars.

26 ~~7.6.~~ On a highway on which the speed limit is posted in excess of sixty-five miles
27 [104.61 kilometers] an hour, for a violation of section 39-09-02, or equivalent
28 ordinance, a fee of five dollars for each mile per hour over the limit.

29 ~~8.7.~~ For a violation of a school zone speed limit under subdivision b of subsection 1 of
30 section 39-09-02, a fee of forty dollars for one through ten miles per hour over the
31 posted speed; and forty dollars, plus one dollar for each additional mile per hour over

ten miles per hour over the limit unless a greater fee would be applicable under this section.

~~9.8.~~ For a violation of a highway construction zone speed limit under subsection 2 of section 39-09-02, a fee of eighty dollars for one through ten miles per hour over the posted speed; and eighty dollars plus two dollars for each mile per hour over ten miles per hour over the limit, unless a greater fee would be applicable under this section. The fee in this subsection does not apply to a highway construction zone unless individuals engaged in construction are present at the time and place of the violation and the posted speed limit sign states "Minimum Fee \$80".

9. If a violation of subsection 4, 6, 7, or 8 is for exceeding the speed limit by twenty-one miles [33.8 kilometers] per hour or more in a speed zone of less than seventy-five miles [120.7 kilometers] per hour, the specified fee is increased by one hundred dollars. If a violation of subsection 6 is for exceeding the speed limit by sixteen miles [25.75 kilometers] per hour or more in a speed zone of seventy-five miles [120.7 kilometers] per hour or greater, the specified fee is increased by one hundred dollars.

SECTION 2. AMENDMENT. Subsection 1 of section 39-06.1-10 of the North Dakota Century Code is amended and reenacted as follows:

1. If a report of a conviction of a traffic offense, or admission or adjudication of a traffic violation is received by the director, the director shall proceed to enter the proper points on the licensee's driving record, unless the points assigned to the violation are two or less. If the points assigned to the violation are two or less, the violation and points may not be entered on the driving record but must be recorded separately, and the separate record is not available to the public. Points from a violation in which the points are two or less are considered a part of the driving record for the sole purpose of point reduction under section 39-06.1-13 and for purposes of license suspension. If the driving record shows that the licensee has accumulated a total of twelve or more points, assigned on the basis of the schedule contained in subsection 3, the director shall notify the licensee of the director's intention to suspend the operator's license under section 39-06-33. For the purposes of this chapter, the director also may receive and act on reports of traffic offense convictions forwarded by federal, military, and tribal courts in this state.

1 **SECTION 3. AMENDMENT.** Subsection 3 of section 39-06.1-10 of the North Dakota
2 Century Code is amended and reenacted as follows:

3 3. Points must be assigned and accumulated on the basis of the following schedule:

4 a. Noncriminal Violations

Noncriminal Adjudication or Admission of:	Points Assigned:
(1) Overtime and double parking in violation of city ordinances	0 points
(2) Failure to display license plates	1 point
(3) Permitting unauthorized minor to drive	2 points
(4) Permitting unauthorized person to drive	2 points
(5) Unlawful stopping, standing, or parking on open highway in violation of section 39-10-47	2 points
(6) Unlawful parking in prohibited place	1 point
(7) Leaving motor vehicle improperly unattended on an open highway	1 point
(8) Opening or leaving motor vehicle doors open when unsafe to do so	1 point
(9) Except as provided in sections 39-21-44 and 39-21-45.1, knowingly driving with defective, nonexistent, or unlawful equipment in violation of section 39-21-46, or equivalent ordinances	2 points
(10) Careless driving in violation of section 39-09-01, or equivalent ordinance	6 points
(11) Violating or exceeding restrictions contained in a restricted certificate issued pursuant to section 39-06.1-03	4 points
(12) Racing or drag racing motor vehicles in violation of section 39-08-03.1, or equivalent ordinance	10 points
(13) Exhibition driving in violation of section 39-08-03.1, or equivalent ordinance	3 points

1	(14) Failing to yield right of way in violation of	2 points
2	section 39-10-20, 39-10-22 through 39-10-26,	
3	39-10-28, 39-10-33.3, 39-10-44, or 39-10-72, or	
4	equivalent ordinances	
5	(15) Disobeying an official traffic-control device	23 points
6	in violation of section 39-10-04, 39-10-05, or	
7	39-10-07, or equivalent ordinances	
8	(16) Driving on wrong side of road in violation of	2 points
9	section 39-10-08, 39-10-14, or	
10	subsection 1, or 2, or 3 of section 39-10-16, or	
11	equivalent ordinances	
12	(17) Failing to dim headlights in violation of section	1 point
13	39-21-21, or equivalent ordinance	
14	(18) Failing to stop at railroad crossing in violation of section	3 points
15	39-10-41 or 39-10-42, or equivalent ordinances	
16	(19) Knowingly driving with defective brakes in violation of	2 points
17	section 39-21-32 or 39-21-33, or equivalent ordinances	
18	(20) Disregarding the lawful commands of a police officer in	2 points
19	violation of section 39-10-02, or equivalent ordinance	
20	(21) Overtaking where prohibited or in an unsafe manner in	2 points
21	violation of section 39-10-11, or 39-10-12, 39-10-13, or	
22	39-10-15, or equivalent ordinances	
23	(22) Overtaking and passing a schoolbus in violation of	6 points
24	section 39-10-46, or equivalent ordinance	
25	(23) Operating a motor vehicle without a license in	4 points
26	violation of section 39-06-01, or equivalent ordinance	
27	(24) Improperly operating or unlawfully carrying	2 points
28	passengers or packages on a motorcycle in violation	
29	of section 39-10.2-02, or equivalent ordinance	
30	(25) Improperly operating a motorcycle in laned traffic in	2 points
31	violation of section 39-10.2-03, or equivalent ordinance	

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1	(26) Clinging to other vehicles while riding a motorcycle in	4 points
2	violation of section 39-10.2-04, or equivalent ordinance	
3	(27) Carrying a passenger on a motorcycle not equipped	2 points
4	with passenger footrests in violation of section	
5	39-10.2-05, or equivalent ordinance	
6	(28) Operating a motorcycle without protective headgear	2 points
7	in violation of subsection 1 of section 39-10.2-06, or	
8	equivalent ordinance	
9	(29) Failing to use the care required in section 39-09-01.1,	23 points
10	or equivalent ordinance	
11	(30) Except as provided in paragraph 33, operating a motor	
12	vehicle in excess of speed limit in violation of section	
13	39-09-02, or equivalent ordinance	
14	6 - 10 mph over limit	0 points
15	11 - 15 mph over limit	1 point
16	16 - 20 mph over limit	3 points
17	21 - 25 mph over limit	5 points
18	26 - 35 mph over limit	9 points
19	36 - 45 mph over limit	12 points
20	46 + mph over limit	15 points
21	(31) Driving in violation of section 39-08-18	23 points
22	(32) Driving in violation of section 39-08-09	6 points
23	(33)(32) On a highway on which the speed limit is posted in	
24	excess of sixty-five miles [104.61 kilometers] an hour,	
25	operating a motor vehicle in excess of the speed limit	
26	in violation of section 39-09-02, or equivalent ordinance	
27	Miles per hour over lawful speed limit	Points
28	1 - 5	0
29	6 - 10	40
30	11 - 15	3
31	16 - 20	5

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1	21 - 25	7
2	26 - 30	10
3	31 - 35	12
4	36 +	15
5	(34) (33) Failing to have a minor in a child restraint system	1 point 3 points
6	or seatbelt in violation of section 39-21-41.2	
7	(35) (34) Failure or refusal to comply with rules of the	0 points
8	superintendent of the highway patrol in violation	
9	of subsection 3 of section 39-21-46	
10	(36) (35) Violation of section 39-21-44 or any rule adopted	2 points
11	under that section	
12	(37) (36) Except as provided in paragraph 39, operating a motor	6 points
13	vehicle without liability insurance, in violation of	
14	section 39-08-20	
15	(38) (37) Except as provided in paragraph 39, operating a motor	12 points
16	vehicle without liability insurance, in violation of	
17	section 39-08-20, if the driving record shows that the	
18	licensee has within the eighteen months preceding the	
19	violation previously violated section 39-08-20	
20	(39) (38) Operating a motor vehicle without liability insurance,	14 points
21	in violation of section 39-08-20, if the violation was	
22	discovered as the result of investigation of an accident	
23	in which the driver is the owner	
24	(40) (39) Driving a modified motor vehicle in violation of section	1 point
25	39-21-45.1, or equivalent ordinance	
26	(41) (40) Driving in violation of the conditions of	2 points
27	an instructional permit:	
28	(42) Using a wireless communications device	3 points
29	in violation of section 39-08-23 or	
30	39-08-24, or equivalent ordinance	

- 1 ~~(43)~~(41) Failure to maintain control of a motor vehicle while distracted ~~3 points~~ 1 point
2 in violation of section 39-08-25
- 3 ~~(44) Overtaking where prohibited or in an unsafe manner in 3 points~~
4 ~~violation of section 39-10-13 or 39-10-15, or~~
5 ~~equivalent ordinances~~
- 6 ~~(45) Driving on the wrong side of the road in violation of 3 points~~
7 ~~subsection 3 of section 39-10-16, or~~
8 ~~equivalent ordinances~~
- 9 ~~(46)~~(42) Following too close in violation of ~~3 points~~ 1 point
10 subsection 1 of section 39-10-18, or
11 equivalent ordinance
- 12 ~~(47) Driving on a closed road during hazardous conditions, 3 points~~
13 ~~when closure was announced, in violation~~
14 ~~of section 39-10-21.1, or equivalent ordinance~~
- 15 ~~(48) Failing to yield the right of way in violation 3 points~~
16 ~~of section 39-10-22 through 39-10-26,~~
17 ~~39-10-26.3, 39-10-28, or 39-10-33.3, or equivalent ordinance~~
- 18 ~~(49) Disregarding stop sign in violation of section 3 points~~
19 ~~39-10-44, or equivalent ordinance, which results in an accident involving~~
20 ~~another vehicle~~

21 b. Criminal Violations

22 Conviction of:

Points Assigned:

- 23 (1) Reckless driving in violation of section 39-08-03, or 8 points
24 equivalent ordinance
- 25 (2) Aggravated reckless driving in violation of section 12 points
26 39-08-03, or equivalent ordinance
- 27 (3) Leaving the scene of an accident involving property 14 points
28 damage in violation of section 39-08-05, 39-08-07,
29 or 39-08-08, or equivalent ordinances

- | | | |
|----|---|-----------|
| 1 | (4) Leaving the scene of an accident involving personal | 18 points |
| 2 | injury or death in violation of section 39-08-04, or | |
| 3 | equivalent ordinance | |
| 4 | (5) Violating restrictions in a restricted license issued | 3 points |
| 5 | under section 39-06-17 and relating to the use of | |
| 6 | eyeglasses or contact lenses while driving | |
| 7 | (6) Violating any restrictions other than those listed in | 4 points |
| 8 | paragraph 5, contained in a restricted license issued | |
| 9 | under section 39-06-17 or 39-06.1-11 | |
| 10 | (7) Except as provided in paragraph 9 of subdivision a, | 23 points |
| 11 | knowingly operating an unsafe vehicle in violation of | |
| 12 | section 39-21-46, or equivalent ordinance | |
| 13 | (8) Fleeing in a motor vehicle from a peace officer in | 24 points |
| 14 | violation of section 39-10-71, or equivalent ordinance | |
| 15 | (9) Causing an accident with an authorized emergency | 2 points |
| 16 | vehicle or a vehicle operated by or under the control | |
| 17 | of the director used for maintaining the state highway | |
| 18 | system in violation of subsection 5 of section 39-10-26, | |
| 19 | or equivalent ordinance | |

SECTION 4. AMENDMENT. Section 40-05-06 of the North Dakota Century Code is amended and reenacted as follows:

40-05-06. City fines and penalties limited.

1. Except as provided in ~~subsections~~subsection ~~2-and-3~~, the fine or penalty for the violation of any ordinance, resolution, or regulation of a city may not exceed one thousand five hundred dollars, and the imprisonment may not exceed thirty days for one offense.
2. ~~For every violation of a city ordinance that regulates the operation or equipment of a motor vehicle or which regulates traffic, except those ordinances listed in section 39-06.1-05, a fee may be established, by ordinance, which may exceed, by up to one hundred percent, the limit, for an equivalent category of violation, set forth in section 39-06.1-06.~~

1 ~~3.~~ For every violation of a city ordinance enforcing the requirements of title 40, Code of
2 Federal Regulations, section 403 relating to publicly owned treatment works, or
3 prohibiting shoplifting, vandalism, criminal mischief, or malicious mischief, the penalty
4 may not exceed a fine of one thousand five hundred dollars, imprisonment for thirty
5 days, or both such fine and imprisonment.

6 4.3. This section does not prohibit the use of the sentencing alternatives, other than a fine
7 or imprisonment, provided by section 12.1-32-02 for the violation of a city ordinance,
8 nor does this section limit the use of deferred or suspended sentences under
9 subsections 3 and 4 of section 12.1-32-02.

10 **SECTION 5. AMENDMENT.** Section 40-11-12 of the North Dakota Century Code is
11 amended and reenacted as follows:

12 **40-11-12. Commitment of guilty person for nonpayment of fines or costs.**

13 Any person upon whom any fine or costs, or both, has been imposed for violation of a
14 municipal ordinance may, after hearing, be committed upon order of the court to jail or other
15 place provided by the municipality for the incarceration of offenders until the fine or costs, or
16 both, are fully paid or discharged by labor as provided in section 40-18-12. The court may not
17 commit a person under this section when the sole reason for the person's nonpayment of fines
18 or costs, or both, is the person's indigency. An order of commitment under this section shall not
19 be for a period in excess of thirty days. ~~As used in this section, "fine" does not include a fee-~~
20 ~~established pursuant to subsection 2 of section 40-05-06.~~