

2025 HOUSE TRANSPORTATION

HB 1366

2025 HOUSE STANDING COMMITTEE MINUTES

Transportation Committee

Room JW327E, State

Capitol

HB 1366

1/30/2025

Relating to speeding violations; and to provide a penalty.
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10:46 a.m. Chairman D. Ruby opened the hearing.

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

Discussion Topics:

- Steeper penalties
- Speed zones
- Common Schools Trust Fund
- Speeding fee zones

10:46 a.m. Representative Roger Maki introduced the bill.

10:52 a.m. Wade Kadrmas, Sergeant, ND Highway Patrol, testified neutral and submitted testimony #32495.

11:08 a.m. Pete Transom, Production Foreman, testified in favor.

11:11 a.m. Chairman D. Ruby closed the hearing.

Janae Pinks, Committee Clerk



Neutral Testimony
69th Legislative Assembly
House Transportation
 January 30, 2025

TESTIMONY OF
 Sergeant Wade Kadrmas

Good morning, Chairman Ruby and members of the House Transportation Committee. My name is Wade Kadrmas, and I am a Sergeant with the North Dakota Highway Patrol. I am here today on behalf of Representative Roger Maki. Representative Maki has asked me to provide an overview of our current speeding fine and points schedules. I created an Excel spreadsheet which provides a visual representation of North Dakota Century Code 39-06.1-06 (4)(5)(7)(8) and (9) as well as 39-06.1-06 (3)a (30) and (33). These sections of century codes lay out the fine structure and points structure for exceeding the posted speed limit in North Dakota.

The spreadsheet with the title current speeding fines, lays out the fine and point structure according to current century code. The top row of the spreadsheet lists different speed zones found across the state. The column directly below each of the listed speed zones is the fine for exceeding the speed limit by the listed amount in the very left column on the page, with the heading MPH Over. For example, look at the left-hand column and go to 10 mph in the MPH Over column. If you follow the 10-mph row across the page, it reflects the fine within each of the listed speed zones. The fine is \$10 in 25-55 mph zones, \$20 in 60-65 mph zones and \$50 in 70-80 mph zones. Since there are a couple of bills introduced this Session that would increase the speed limit to 80 mph, I added that speed zone as well. The spreadsheet also reflects the points as well as the fine. If you follow the 10-mph row over to the right and look for the points column it will give you the assigned points for going 10 mph over in those speed zones. Speeds zones of 25-65 mph are assigned the same points. Speed zones of 70-80 mph have a different point schedule.

The spreadsheet also shows current discrepancies within the fine schedules. Speed zones can change on a roadway. For instance, if you travel on I-94, you can travel through 55, 60, 65, 75, and possibly a future 80 mph zone. Today, if a driver is traveling 80 mph on the interstate and stays at that speed, the fine will be lower in some of the connected lower speed zones. For example, going 80 mph in a 75 zone is a \$25 fine, 80 mph in a 70 zone is a \$50 fine, 80 mph in a 65 zone is a \$45 fine, which is a decrease of \$5 from 70 zone. There is a greater discrepancy in the lower speed zones. 80 mph in a 60 zone is a \$70 fine but 80 mph in a 55 zone is a \$40 fine, a decrease of \$30.

I want to draw your attention to the bottom of the page. You can see that the speeds are shown with different color coding. Go to the light green boxes within the matrix to see the fines for traveling 91 mph through the speed zones. There is a \$5 discrepancy when you move into a 65-mph zone from a 70-mph zone. 91 mph in a 70 zone is \$105 and 91 in a 65 zone is \$100. The largest discrepancy is when it changes from a 60-mph zone to a 55-mph zone. 91 in a 60 zone is

\$125 and 91 in a 55 zone is \$73, which is a \$52 decrease in the fine.

The second spreadsheet is labeled with 2025 Session: House Bill 1366 and provides details on the effect of the bill's passage to the current fine structures. The bill would eliminate the larger discrepancies.

The fine structure for the 25-55 mph would now fall under the 60-65 mph fine structure. For example, a driver going 13 miles over the speed limit in a 25 MPH zone, would pay a \$35 dollar fine rather than the \$13 dollar fee they would be assessed currently.

There would be an increase of \$100 if a driver exceeded the speed limit by 21 mph and more in speed zones of 70 mph and less. There would be an increase of \$100 if a driver exceeded the speed limit by 16 mph or more in speed zones of 75 mph and greater.

Chairman Ruby and members of the House Transportation Committee that concludes my testimony and I would be happy to answer questions.

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											

Fines for traveling 85 mph through these speed zones.

School zone fines when childred 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.

**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

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 childred 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

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

2025 HOUSE STANDING COMMITTEE MINUTES

Transportation Committee Room JW327E, State Capitol

HB 1366
2/6/2025

Relating to speeding violations; and to provide a penalty.
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9:24 a.m. Chairman D. Ruby opened the meeting.

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

Discussion Topics:

- Proposed amendment
- Repeal of doubled fines
- Usage of points

9:41 a.m. Representative Morton moved to adopt amendment LC #25.0980.01001.

9:41 a.m. Representative Frelich seconded the motion.

9:42 a.m. Voice vote - motion carried.

9:42 a.m. Representative Johnston moved a Do Not Pass as Amended.

9:42 a.m. Representative Schatz seconded the motion.

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

9:44 a.m. Motion passed 6-5-3.

9:44 a.m. Representative Johnston will carry the bill.

9:45 a.m. Chairman D. Ruby closed the meeting.

Janae Pinks, Committee Clerk

February 6, 2025

2/6/25
1 of 5

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO

HOUSE BILL NO. 1366

Introduced by

Representatives Maki, Osowski, D. Ruby

Senator Bekkedahl

1 A BILL for an Act to amend and reenact ~~section~~sections 39-06.1-06, 40-05-06, and 40-11-12 of
2 the North Dakota Century Code, relating to speeding violations, city fines, and nonpayment of
3 fines; and to provide a penalty.

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

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

7 **39-06.1-06. Amount of statutory fees.**

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

- 10 1. For a nonmoving violation as defined in section 39-06.1-08, a fee of twenty dollars
11 except for a violation of any traffic parking regulation on any state charitable or penal
12 institution property or on the state capitol grounds, a fee in the amount of five dollars,
13 excluding a violation of subsection 11 of section 39-01-15.
- 14 2. For a moving violation as defined in section 39-06.1-09, a fee of twenty dollars, except
15 for:
 - 16 a. A violation of section 39-10-26, 39-10-26.2, 39-10-41, or 39-10-42, a fee of fifty
17 dollars.
 - 18 b. A violation of section 39-10-05 involving failure to yield to a pedestrian or
19 subsection 1 of section 39-10-28, a fee of fifty dollars.
 - 20 c. A violation of section 39-21-41.2, a fee of twenty-five dollars.

- 1 d. A violation of subsection 1 of section 39-12-02, section 39-08-23, or section
2 39-08-25, a fee of one hundred dollars.
- 3 e. A violation of subdivision d of subsection 1 of section 39-12-04, a fee of one
4 hundred dollars.
- 5 f. A violation of subsection 6 of section 39-04-37, a fee of one hundred dollars.
- 6 g. A violation of subsection 2 of section 39-10-21.1, a fee of two hundred fifty
7 dollars.
- 8 h. A violation of section 39-10-59, a fee of five hundred dollars.
- 9 i. A violation of section 39-09-01, a fee of thirty dollars.
- 10 j. A violation of section 39-09-01.1, a fee of thirty dollars.
- 11 k. A violation of section 39-10-46 or 39-10-46.1, a fee of one hundred dollars.
- 12 l. A violation of subsection 1 of section 39-08-20, one hundred fifty dollars for a first
13 violation and three hundred dollars for a second or subsequent violation in three
14 years.
- 15 m. A violation of section 39-10-24 or 39-10-44, a fee of forty dollars.
- 16 n. A violation of section 39-10-50.1, a fee of fifty dollars.
- 17 o. A violation of section 39-19-03, a fee of fifty dollars.
- 18 3. For a violation of section 39-21-44 or a rule adopted under that section, a fee of two
19 hundred fifty dollars.
- 20 4. ~~Except as provided in subsections 5 and 7, for a violation of section 39-09-02, or an~~
21 ~~equivalent ordinance, a fee established as follows:~~

22 Miles per hour over

23 lawful speed limit

Fee

24	1—5	\$ 5
25	6—10	\$ 5 plus \$1/each mph over 5 mph over limit
26	11—15	\$ 10 plus \$1/each mph over 10 mph over limit
27	16—20	\$ 15 plus \$2/each mph over 15 mph over limit
28	21—25	\$ 25 plus \$3/each mph over 20 mph over limit
29	26—35	\$ 40 plus \$3/each mph over 25 mph over limit
30	36—45	\$ 70 plus \$3/each mph over 35 mph over limit
31	46 +	\$100 plus \$5/each mph over 45 mph over limit

RS
3.15

1 5. On a highway on which the speed limit is a speed higher than fifty-five miles
2 ~~[88.51 kilometers]~~ of sixty-five miles [104.61 kilometers] an hour or lower, for a violation
3 of section 39-09-02, or an equivalent ordinance, a fee established as follows:

4 Miles per hour over	
5 lawful speed limit	Fee
6 1 - 10	\$2/each mph over limit
7 11 +	\$20 plus \$5/each mph over 10 mph over limit

8 6.5. For a violation of section 39-06.2-10.9 or subsection 3 of section 39-21-46, a fee
9 established as follows:

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

23 7.6. On a highway on which the speed limit is posted in excess of sixty-five miles
24 [104.61 kilometers] an hour, for a violation of section 39-09-02, or equivalent
25 ordinance, a fee of five dollars for each mile per hour over the limit.

26 8.7. For a violation of a school zone speed limit under subdivision b of subsection 1 of
27 section 39-09-02, a fee of forty dollars for one through ten miles per hour over the
28 posted speed; and forty dollars, plus one dollar for each additional mile per hour over
29 ten miles per hour over the limit unless a greater fee would be applicable under this
30 section.

- 1 ~~9-8.~~ For a violation of a highway construction zone speed limit under subsection 2 of
2 section 39-09-02, a fee of eighty dollars for one through ten miles per hour over the
3 posted speed; and eighty dollars plus two dollars for each mile per hour over ten miles
4 per hour over the limit, unless a greater fee would be applicable under this section.
5 The fee in this subsection does not apply to a highway construction zone unless
6 individuals engaged in construction are present at the time and place of the violation
7 and the posted speed limit sign states "Minimum Fee \$80".
- 8 9. If a violation of subsection 4, 6, 7, or 8 is for exceeding the speed limit by twenty-one
9 miles [33.8 kilometers] per hour or more in a speed zone of less than seventy-five
10 miles [120.7 kilometers] per hour, the specified fee is increased by one hundred
11 dollars. If a violation of subsection 6 is for exceeding the speed limit by sixteen miles
12 [25.75 kilometers] per hour or more in a speed zone of seventy-five miles
13 [120.7 kilometers] per hour or greater, the specified fee is increased by one hundred
14 dollars.

15 **SECTION 2. AMENDMENT.** Section 40-05-06 of the North Dakota Century Code is
16 amended and reenacted as follows:

17 **40-05-06. City fines and penalties limited.**

- 18 1. Except as provided in subsections 2 and 3, the fine or penalty for the violation of any
19 ordinance, resolution, or regulation of a city may not exceed one thousand five
20 hundred dollars, and the imprisonment may not exceed thirty days for one offense.
- 21 2. ~~For every violation of a city ordinance that regulates the operation or equipment of a~~
22 ~~motor vehicle or which regulates traffic, except those ordinances listed in section~~
23 ~~39-06.1-05, a fee may be established, by ordinance, which may exceed, by up to one~~
24 ~~hundred percent, the limit, for an equivalent category of violation, set forth in section~~
25 ~~39-06.1-06.~~
- 26 ~~3.~~ For every violation of a city ordinance enforcing the requirements of title 40, Code of
27 Federal Regulations, section 403 relating to publicly owned treatment works, or
28 prohibiting shoplifting, vandalism, criminal mischief, or malicious mischief, the penalty
29 may not exceed a fine of one thousand five hundred dollars, imprisonment for thirty
30 days, or both such fine and imprisonment.

1 **4.3.** This section does not prohibit the use of the sentencing alternatives, other than a fine
2 or imprisonment, provided by section 12.1-32-02 for the violation of a city ordinance,
3 nor does this section limit the use of deferred or suspended sentences under
4 subsections 3 and 4 of section 12.1-32-02.

5 **SECTION 3. AMENDMENT.** Section 40-11-12 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **40-11-12. Commitment of guilty person for nonpayment of fines or costs.**

8 Any person upon whom any fine or costs, or both, has been imposed for violation of a
9 municipal ordinance may, after hearing, be committed upon order of the court to jail or other
10 place provided by the municipality for the incarceration of offenders until the fine or costs, or
11 both, are fully paid or discharged by labor as provided in section 40-18-12. The court may not
12 commit a person under this section when the sole reason for the person's nonpayment of fines
13 or costs, or both, is the person's indigency. An order of commitment under this section shall not
14 be for a period in excess of thirty days. ~~As used in this section, "fine" does not include a fee~~
15 ~~established pursuant to subsection 2 of section 40-05-06.~~

**REPORT OF STANDING COMMITTEE
HB 1366**

Transportation Committee (Rep. D. Ruby, Chairman) recommends **AMENDMENTS** ([25.0980.01001](#)) and when so amended, recommends **DO NOT PASS** (6 YEAS, 5 NAYS, 3 ABSENT AND NOT VOTING). HB 1366 was placed on the Sixth order on the calendar.