

FEES AND POINT DEMERITS FOR TRAFFIC OFFENSES - BACKGROUND MEMORANDUM

House Concurrent Resolution No. 3005 (attached as Appendix A) directs a study of the fees and point demerits for traffic offenses. The resolution states that the present system for the disposition of traffic offenses was created as the result of a Legislative Council study during the 1971-72 interim and has not been reviewed by the Legislative Council since the 1973-74 interim. Since 1973 there have been numerous individual changes to the fee and point demerit system. The legislative history of House Concurrent Resolution No. 3005 reveals the resolution resulted from a concern with the fees and points for driving in excess of the lawful speed limit and was broadened in scope to encompass any other area of concern for fees or demerit points for traffic offenses.

TRAFFIC OFFENSES

In 1973 this state changed from a criminal to a noncriminal system of enforcing most traffic offenses. However, criminal dispositions were retained for certain severe offenses. In 1973 these offenses were:

1. Driving while under the influence of intoxicating liquor or narcotic drugs;
2. Operating while a habitual user of narcotic drugs;
3. Reckless driving or aggravated reckless driving;
4. Negligent homicide;
5. Manslaughter resulting from the operation of a motor vehicle;
6. Hit-and-run offenses;
7. Driving while license or driving privilege is suspended or revoked; and
8. Drunken or reckless driving of a snowmobile.

Since that time, the list contained in North Dakota Century Code (NDCC) Section 39-06.1-05 has expanded to include unlawfully modifying a motor vehicle, driving without liability insurance, and driving an unsafe vehicle such as to endanger another person. In addition, other criminal offenses, e.g., altering an odometer, have been added to the law with disregard to the convention of listing the offense in NDCC Section 39-06.1-05.

The noncriminal point and fee system has expanded greatly since 1973. For example, initially there was a list of 18 offenses for which demerit points were assigned for noncriminal offenses and six for criminal violations. Under NDCC Section 39-06.1-10(3), the present point list assigns points to 35 noncriminal traffic offenses and 13 criminal offenses.

Points

Under NDCC Section 39-06.1-10(1), if the number of points assigned to a violation are not more than two, the violation and the points may not be entered on the driving record but must be recorded separately. This separate record is not available to the public and thus is not reported to the operator's insurance company or anyone else. However, these points do apply for the purposes of license suspension. Under Section 39-06.1-10(2), an operator's license is suspended if an operator accumulates 12 or more points. Under Section 39-06-01.1, acts committed by a minor resulting in an accumulated point total in excess of five points will result in having that minor's license canceled by the Department of Transportation.

The following list of offenses have more than two points assigned for a violation. The following table does not include basic speeding offenses. The type of offense in bold is meant as an aid in comparing similar offenses. The table is based on the table used by the Highway Patrol and the North Dakota Peace Officers Association in the document *Classification of Offenses*. A copy of this document is attached as Appendix B. The asterisk denotes a criminal offense.

Points	Violation (Type of Offense)
3	Exhibition driving (speed/style)
3	Violating eye lens restrictions (driver's license)*
3	Failing to stop for an automatic railroad crossing signal (railroad)
3	Failing to stop for railroad crossing marked with a stop sign (railroad)
4	Driving without operator's license (driver's license)
4	Violating or exceeding restrictions contained in temporary restricted driving certificate (driver's license)
4	Driving vehicle other than permitted by class of license (driver's license)
4	Violating driver's license or work permit restrictions (driver's license)*
4	Violating driver's license restriction as a juvenile (driver's license)
4	Clinging to a vehicle (bicycle and motorcycle)
6	Careless driving in violation of basic rule (speed/style)
6	Careless driving causing damage to snow removal equipment (speed/style)*
6	Overtaking or passing stopped schoolbus (overtaking)
6	Improperly using schoolbus signs (overtaking)
6	Driving without liability insurance (insurance)*

Points	Violation (Type of Offense)
6	Failing to give immediate notice of a reportable accident (accident)*
8	Reckless driving (speed/style)*
10	Drag racing (speed/style)
10	Racing (speed/style)
12	Aggravated reckless driving (speed/style)*
12	Driving without liability insurance, second offense within 18 months (insurance)*
14	Driving without liability insurance and involved in an accident (insurance)*
14	Leaving the scene of an accident involving an attended vehicle involving property damage (accident)*
14	Leaving the scene of an accident involving an unattended vehicle (accident)*
14	Leaving the scene of an accident with a fixed object (accident)*
18	Leaving the scene of an accident involving injury (accident)*
24	Fleeing or attempting to allude a police officer (other)*

The following is a list of traffic offenses for which not more than two demerit points are assigned:

Points	Violation
2	Permitting an unauthorized minor to drive (driver's license)
2	Permitting an unauthorized person to drive (driver's license)
2	Open receptacle containing an alcoholic beverage in a vehicle (liquor)
2	Care required in operating a vehicle (speed/style)
2	Disregarding traffic control device (right of way)
2	Driving through red light (right of way)
2	Failing to stop or yield for flashing red light at an intersection (right of way)
2	Failing to exercise caution at flashing yellow light at intersection (right of way)
2	Failing to yield at intersection (right of way)
2	Failing to yield right of way when entering a freeway (right of way)
2	Turning left in front of approaching traffic (right of way)
2	Failing to yield at stop intersection (right of way)
2	Violating yield right-of-way sign (right of way)
2	Failing to yield entering highway from private road or highway (right of way)
2	Failing to yield to emergency vehicle (right of way)
2	Disregarding stop sign (right of way)
2	Violating right of way to funeral procession (right of way)
2	Driving on the left half of roadway not in overtaking (wrong side/wrong way)
2	Driving on the left half of roadway on hill or curve (wrong side/wrong way)
2	Driving on left half of roadway at intersection or rail-road crossing (wrong side/wrong way)
2	Driving wrong way on one-way roadway (wrong side/wrong way)

Points	Violation
2	Driving onto restricted access highway other than entrance or exit (wrong side/wrong way)
2	Driving to the right before safe when passing (overtaking)
2	Failing to give way when overtaken (overtaking)
2	Overtaking vehicle on the right when prohibited or unsafe (overtaking)
2	Overtaking when unsafe (overtaking)
2	Overtaking where prohibited (overtaking)
2	Failing to yield to pedestrian at lighted traffic-controlled intersection (pedestrian)
2	Failing to yield right of way to pedestrian (pedestrian)
2	Pedestrian suddenly moving into path of vehicle creating hazard (pedestrian)
2	Pedestrian walking wrong way on roadway or on the roadway (pedestrian)
2	Pedestrian failing to yield right of way to vehicle (pedestrian)
2	Driver failed to yield right of way to blind or incapacitated person (pedestrian)
2	Riding more than designated for or interfering with the operator of a motorcycle (motorcycle)
2	Overtaking or passing vehicle in same lane or more than two abreast on a motorcycle (motorcycle)
2	Failing to wear a helmet on a motorcycle (motorcycle)
2	Carrying passengers on motorcycle not equipped with passenger footrest (motorcycle)
2	Illegal parking outside business or residential district (parking)
2	Failing to dim headlights for approaching vehicles (equipment)
2	Failing to dim headlights when following another vehicle (equipment)
2	Defective brakes on motor vehicle (equipment)
2	Defective brakes or no safety chain on trailer (equipment)
2	Failing to maintain brakes (equipment)
2	Improperly modifying a motor vehicle (equipment)*
2	Operating an unsafe vehicle (equipment)*
2	Failing to comply with a lawful order of police officer (other)
1	Failing to display current registration (registration)
1	Parking where prohibited (parking)
1	Improperly parking unattended motor vehicle (parking)
1	Opening door on vehicle when unsafe (parking)
1	Failing to provide child restraint device (equipment)

All other offenses not previously listed have no points assigned to them. The offenses that are not listed include most criminal offenses and most noncriminal motor vehicle equipment offenses.

Fees

In 1973 offenses were divided between moving and nonmoving. The only fees were \$10 for a nonmoving violation, \$20 for a moving violation, and

\$30 for careless driving. Presently, the general rule is that moving and nonmoving violations are \$20. Various exceptions have been made to this rule. The following are tables of these exceptions--a table of fees in excess of \$20 and a table of fees under \$20. The following tables do not include basic speeding offenses or motor carrier regulation violations. Again, the type of offense is meant as an aid in comparing similar offenses. The tables are based on the table used in *Classification of Offenses*. Criminal offenses are denoted by an asterisk.

Fees	Violation
\$5	Not prominently displaying mobility-impaired certificate or license plate (parking)
\$5	Improperly parking vehicle on Capitol grounds when prohibited (parking)
\$10	Operating an all-terrain vehicle while under 16 years of age (ATV)*

Unlike point demerits, fees in the North Dakota Century Code may be different from fees charged in cities or home rule cities. Under NDCC Section 40-05-06, in the city, a fee may be established which may not exceed the limits for equivalent categories of violations of state law. However, under Section 40-05.1-06, home rule cities create their own fees for violations of city ordinances. One exception is created under Section 39-06.1-06(c)(2). This provision of law provides that no fee may be imposed by "a city or county operating under a home rule charter" for a violation of Section 39-21-41.2. Section 39-21-41.2 requires a child restraint system for each child under age 4 and a child restraint system or seatbelt for a child aged 4 to 17. Another exception was created in 2001 House Bill No. 1239. This sets the fee for speeding in a school zone in all places in this state, including home rule cities.

SPEEDING

Beginning in 1979 there were a number of changes to the scale of fees and demerit points for speeding in 55-mile-per-hour zones and 65-mile-per-hour zones. However, between 1991 and 2001, no changes were made to those scales. In 1997 a new scale of fees and demerit points for speeding in a 70-mile-per-hour zone was created. In addition, higher fees for speeding in a construction zone were created in 1997.

Three bills that relate to this study were introduced during the 2001 legislative session. One failed to pass, one passed and was vetoed, and one was enacted into law. As introduced, House Bill No. 1443, which failed to pass, would have altered the fees and point demerits for driving in excess of the lawful speed limit and would have increased the speed limit on the interstate to 75 miles per hour.

Senate Bill No. 2012 would have created a 75-mile-per-hour speed limit on interstate highways. However, the Governor vetoed the increased speed limit. Senate Bill No. 2088 changed the fees and point demerits for driving in excess of the lawful speed limit. The bill created one scale of demerit points for speeding on any road in which the lawful speed limit is 70 miles per hour or less and one scale of demerit points for roads with a lawful speed limit in excess of 70 miles per hour. This results in only one "active" scale of demerit points because there is no road in this state on which the lawful speed limit is in excess of 70 miles per hour.

FEES IN EXCESS OF \$20	
Fees	Violation (Type of Offense)
\$40+	Exceeding speed limit in school zone or construction zone (speed/style)
\$50	Failing to give immediate notice of reportable accident (accident)*
\$50	Open container (liquor)
\$50	Overtaking or passing stopped schoolbus (overtaking)
\$50	Improperly using schoolbus signs (overtaking)
\$50	Registered owner permitted overtaking or passing of schoolbus (overtaking)
\$50	Failing to yield to pedestrian at lighted traffic-controlled intersection (pedestrian)
\$50	Failing to yield right of way to pedestrian (pedestrian)
\$50	Failing to stop for automatic railroad crossing signal (railroad)
\$50	Failing to stop for railroad crossing marked with stop sign (railroad)
\$50	Failing to register snowmobile (snowmobile)
\$50	Failing to register all-terrain vehicles (ATV)*
\$50	Exhibition driving (speed/style)
\$100	Violating parking of mobility impaired through the use of illegal permit or plate (parking)*
\$100	Violating parking of mobility impaired (parking)
\$100	Drag racing (speed/style)
\$100	Racing (speed/style)
\$150	Driving without liability insurance (insurance)*
\$300	Driving without liability insurance for second time within 18 months (insurance)*

FEES OF LESS THAN \$20	
Fees	Violation
\$5	Clinging to a vehicle on a bicycle (bicycle)
\$5	Riding on the roadway when bicycle paths are provided (bicycle)

Points

The active scale of point demerits replaces three previous scales. The three previous scales were for speeding within city limits on a noncontrolled access highway, speeding on a highway on which the speed limit is higher than 55 miles per hour, and for speeding on any other highway. The following table compares the demerit point scale for speeding in 1973 with the scale in 1997 and 2001 and with the scale proposed in House Bill No. 1443. The year 1973 is used because it was the first year points were

applied to traffic offenses. The year 1997 is used because that was the most recent legislative session before 2001 in which there was a change in the fees and demerit points for speeding. To provide a visual aid as to the seriousness of certain speeding offenses, offenses with under three points are in a normal font, offenses with three to five points are in a bold font, and offenses with over five points are in an extrabold font.

Miles Per Hour (MPH) Over Limit	1973	1997			2001		House Bill No. 1443		
	All Zones	Within City Limits	55 MPH and Lower Zones	65 MPH and 70 MPH Zones	Within City Limits, 55 MPH and Lower, 65 MPH and 70 MPH Zones	70 MPH Plus Zones	Within City Limits	55 MPH and Lower Zones	65 MPH and 70 MPH Zones
1-5						0			
6-10		1		1	0	1	1		1
11-15		2		4	1	2	2	3	4
16-20		3	3	7	3	5	3	7	7
21-25		4	4	7	5	7	4	7	7
26-30		6	6	10	9	10	6	10	10
31-35		6	6	10	9	12	6	10	10
36-45		8	8		12		8		
36+				12		15		12	12
46+		12	12		15		12		

Fees

During the 2001 legislative session, House Bill No. 1443 attempted to and Senate Bill No. 2088 did change the fee schedule for driving in excess of the lawful speed limit. Senate Bill No. 2088 made some minor changes to the fees exceeding the speed limit in a zone in which the lawful limit exceeds 55 miles per hour, mainly by raising the fees for driving in excess of 35 miles per hour over the speed limit. The bill addressed the fees for driving in excess of the

speed limit in a zone posted in excess of 70 miles per hour. Below is a table comparing the fee schedule in 1973 with the fee schedule in 1997 and in 2001 and with the schedule proposed in House Bill No. 1443. To provide a visual aid as to the seriousness of certain speeding offenses, offenses with a fee of \$20 or under are in a normal font, offenses with a fee of more than \$20 but less than \$50 are in a bold font, and offenses with a fee of \$50 or more are in an extrabold font.

Miles Per Hour (MPH) Over Limit	1973	1997			2001		House Bill No. 1443		
	All Zones	55 MPH and Lower Zones	65 MPH and 70 MPH Zones	55 MPH and Lower Zones	65 MPH and 70 MPH Zones	70 MPH Plus Zones	Lower Than 55 MPH Zones	55 MPH Zones	55 MPH Plus Zones
1-5	\$20	\$5	\$11-\$15	\$5	\$11-\$15	\$20	\$5	\$5	\$11-\$15
6-10	\$20	\$6-\$10	\$17-\$25	\$6-\$10	\$17-\$25	\$40	\$6-\$10	\$6-\$10	\$17-\$25
11-15	\$20	\$11-\$15	\$28-\$40	\$11-\$15	\$28-\$40	\$60	\$11-\$15	\$21-\$25	\$53-\$65
16-20	\$40	\$17-\$25	\$43-\$55	\$17-\$25	\$43-\$55	\$80	\$17-\$25	\$32-\$40	
21-25	\$40	\$28-\$40	\$58-\$70	\$28-\$40	\$58-\$70	\$100	\$28-\$40	\$53-\$65	\$83-\$110

Miles Per Hour (MPH) Over Limit	1973	1997		2001			House Bill No. 1443		
	All Zones	55 MPH and Lower Zones	65 MPH and 70 MPH Zones	55 MPH and Lower Zones	65 MPH and 70 MPH Zones	70 MPH Plus Zones	Lower Than 55 MPH Zones	55 MPH Zones	55 MPH Plus Zones
26-30	\$40	\$43-\$55	\$73-\$85	\$43-\$55	\$73-\$100	\$125	\$43-\$55	\$83-\$120	\$143-\$170
31-35	\$40	\$58-\$70	\$88-\$100	\$58-\$70		\$150	\$58-\$70		
36-45	\$40	\$73-\$100		\$73-\$100	\$125-\$170		\$73-\$100	\$143-\$170	
36+	\$40		\$105 + \$5			\$155 + \$5			\$205 + \$5
46+	\$40	\$105 + \$5		\$105 + \$5	\$175 + \$5		\$105 + \$5	\$205 + \$5	

RECENT CHANGES

During the 2001 legislative session, two bills passed that changed the points and fee system--House Bill No. 1239 and Senate Bill No. 2088. Senate Bill No. 2088 provides for noncriminal fees for violation of motor carrier safety rules and regulations. The fees for the violation of motor carrier safety rules are \$100 for driving too long or not having a record of driving, \$250 for falsifying records of driving, and \$500 for operating a vehicle after the driver or vehicle is placed out of service. All other violations of motor carrier safety rules are \$50. In addition, the bill provides for a two-point penalty for violation of the rules for transporting hazardous materials and a \$250 fee for a violation of these rules. House Bill No. 1239 sets the penalty for speeding in a school zone at \$40 for 1 through 10 miles over the posted speed and \$40 plus \$1 for each additional mile over 10 miles per hour over the limit unless a greater fee would be applicable under other speed limits.

OTHER STATES

Other states use a variety of methods in enforcing traffic rules. Some use a criminal system and some use a combination criminal and noncriminal system like this state. Most states have a point system whether criminal or combination states; however, there is no uniformity on assessing points. Some states suspend licenses after a certain number of offenses. For example, Minnesota suspends a license when an individual has four traffic citations in one year. South Dakota has a point system but only for hazardous moving traffic violations like driving while under the influence but not for speeding.

As for fees or fines, states with criminal systems have fine and bond schedules. However, as in Minnesota, these fines and bond schedules may change from county to county. Of the surrounding states, none has a fee system comparable to North Dakota.

SUGGESTED STUDY APPROACH

The development of standards to review the present system is the first step in studying the present traffic offense system. Two standards of evaluation may be deterrent effect and fairness. In short, the goal of the fee and point system is to provide safe roadways by deterring unsafe behavior in a fair and equitable manner.

The second step is to compare the present system to the standards. For the standard of deterrent effect, this may include evaluating the fee and point system to determine what is an effective deterrent to unsafe driving behavior. This requires a ranking of which behavior is more unsafe than others and a ranking of what level of fees and points provide the proper level of deterrence considering the safety level of a certain act. Safety may be measured by the possible results of a certain behavior, i.e., the loss of life of another by doing a behavior is more unsafe than doing a behavior that results in the inconvenience of another. What is unsafe can be determined through statistical analysis of results of certain behavior.

What will deter this unsafe behavior comes from the point demerits and fees under the present system. Accumulation of points can result in the loss of a license and higher insurance premiums. Higher fees are an economic issue. The committee may also balance other factors that promote safety besides deterrence, including engineering safer roadways and vehicles, better training of drivers, and the raising of revenue.

Third, a review of fairness is required. The committee could compare offenses of a certain point or fee level to other offenses to see if like or equally unsafe behavior has equal fees and points. Fairness is a subjective and purely policy matter that may be addressed by the committee without much further information.

In reviewing deterrence safety and fairness, the committee may want to receive testimony from the Department of Transportation, the Highway Patrol, organizations that promote safety on the highways, and the driving public.

ATTACH:2

**Fifty-seventh Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 9, 2001**

HOUSE CONCURRENT RESOLUTION NO. 3005
(Representative Porter)
(Senator Stenehjem)

A concurrent resolution directing the Legislative Council to study the fees and point demerits for traffic offenses.

WHEREAS, the present system for the disposition of traffic offenses was created as the result of a Legislative Council study during the 1971-72 interim and has not been reviewed by the Legislative Council since the following interim; and

WHEREAS, since 1973 numerous individual changes have been made to the fee and point demerit system which have fundamentally altered the original design of the system; and

WHEREAS, the balancing of inequities between fees and demerit points for traffic offenses maintains fairness while maintaining the proper level of deterrence;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Council study the fees and point demerits for traffic offenses; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-eighth Legislative Assembly.

PT	BOND/ FEE	SECTION	OFFENSE	VIOLATION
LIQUOR (cont.)				
0	-----	39-08-01	C Felony	Drove or in actual physical control of a motor vehicle while under the influence of alcohol or drugs, in excess of .10% AC - fifth or subsequent offense in 7 year period
0	-----	39-08-01	A Misd	DUI by person 21 or older with minor present
0	-----	39-08-01.2	A/B Misd	Injury or death resulting from violating 39-08-01 or 39-08-03
2	\$50	39-08-18		Open receptacle containing an alcoholic beverage in or on vehicle (moving--If operator) (0 points if passenger)
RIGHT OF WAY				
2	\$20	39-10-04	Moving	Disregarded traffic control device
2	\$20	39-10-05	Moving	Drove through red light
2	\$20	39-10-07	Moving	Failed to stop or yield for flashing red light/intersection
2	\$20	39-10-07	Moving	Failed to exercise caution at flashing yellow light/intersection
2	\$20	39-10-22	Moving	Failed to yield at intersection
2	\$20	39-10-22.1	Moving	Failed to yield right of way when entering a freeway
2	\$20	39-10-23	Moving	Turned left in front of approaching traffic
2	\$20	39-10-24	Moving	Failed to yield at stop intersection
2	\$20	39-10-24	Moving	Violated yield right-of-way sign/existing conditions
2	\$20	39-10-25	Moving	Failed to yield entering highway from private road or driveway
2	\$50	39-10-26	Moving	Failed to yield to emergency vehicle
2	\$50	39-10-26(2)	Moving	Failed to change lanes for authorized emergency vehicle
0	\$20	39-10-37	Moving	Failed to yield from stopped or parked position
2	\$20	39-10-44	Moving	Disregarded stop sign
0	\$20	39-10-45	Moving	Driver emerging from alley, driveway, private road, or building failed to stop prior to entering crosswalk or roadway
0	\$20	39-10-68	Moving	Entered intersection or RR grade crossing when roadway was obstructed
2	\$20	39-10-72	Moving	Violated right of way to funeral procession
WRONG SIDE OR WRONG WAY				
2	\$20	39-10-08	Moving	Drove on left half of roadway not in overtaking
2	\$20	39-10-14	Moving	Drove on left half of roadway on hill or curve
2	\$20	39-10-14	Moving	Drove on left half of roadway at intersection or RR crossing
2	\$20	39-10-16	Moving	Drove wrong way on one-way roadway
0	\$20	39-10-17	Moving	Changed lanes without regard for other traffic
0	\$20	39-10-19	Moving	Crossing the median
2	\$20	39-10-20	Moving	Drove onto restricted access highway other than entrance or exit
0	\$20	39-10-21.1	Moving	Knowingly entered road closed due to hazardous conditions
0	\$20	39-10-55	Moving	Driver failed to stay to the right while travelling through defiles or canyons or failed to give audible warning
FOLLOWING				
0	\$20	39-10-18(1)	Moving	Following too close
0	\$20	39-10-18(2)	Moving	Failed to leave sufficient distance between trucks
OVERTAKING				
2	\$20	39-10-11	Moving	Drove to the right before safe when passing
2	\$20	39-10-11	Moving	Failed to give way when overtaken
2	\$20	39-10-12	Moving	Overtook vehicle on the right when prohibited or unsafe
2	\$20	39-10-13	Moving	Overtook when unsafe
2	\$20	39-10-15	Moving	Overtook where prohibited
6	\$50	39-10-46(1)	Moving	Overtook or passed stopped school bus
6	\$50	39-10-46(2)	Moving	Improper use of school bus (school bus signs)
0	\$50	39-10-46.1	Moving	Registered owner permitted overtaking or passing of school bus
TURNING				
0	\$20	39-10-35	Moving	Turned right too wide (or) cut corner on left turn
0	\$20	39-10-35	Moving	Turned (right or left) from wrong lane
0	\$20	39-10-36	Moving	Improper turn around (interfered with traffic or on a hill or curve) (U-turn)
0	\$20	39-10-38	Moving	Neglected signal when required
PEDESTRIANS				
2	\$50	39-10-05	Moving	Failed to yield to pedestrian at a lighted traffic-controlled intersection
2	\$50	39-10-28	Moving	Failed to yield right of way to pedestrian
2	\$20	39-10-28	Moving	Pedestrian suddenly moved into path of vehicle creating hazard
0	\$20	39-10-29	Moving	Pedestrian failed to yield right of way to vehicle where pedestrian crossing provided
0	\$20	39-10-30	Moving	Driver failed to exercise due care upon approaching pedestrian
2	\$20	39-10-33	Moving	Pedestrian walking wrong way on roadway or on the roadway
2	\$20	39-10-33	Moving	Pedestrian failed to yield right of way to vehicle
0	\$20	39-10-33.1	Moving	Driver failed to yield right of way to pedestrian on sidewalk

PT	BOND/ FEE	SECTION	OFFENSE	VIOLATION
PEDESTRIANS (cont.)				
0	\$20	39-10-33.2	Moving	Pedestrian failed to yield right of way to authorized emergency vehicle
2	\$20	39-10-33.3	Moving	Driver failed to yield right of way to blind or incapacitated person
0	\$20	39-10-33.4	Moving	Pedestrian under influence of alcohol or drugs creating a hazard on roadway
0	\$20	39-10-33.5	Moving	Pedestrian failed to obey RR grade crossing signal
0	\$20	39-10-34	Moving	Pedestrian standing on roadway soliciting ride or business
RAILROAD CROSSINGS				
3	\$50	39-10-41	Moving	Failed to stop for automatic RR crossing signal, flagman, or train/drove around crossing arms
3	\$50	39-10-42	Moving	Failed to stop for RR crossing marked with stop sign
0	\$20	39-10-43	Moving	School bus failed to stop at RR crossing
0	\$20	39-10-43	Moving	Vehicle carrying flammable or hazardous materials failed to stop at RR crossing
0	\$20	39-10-67	Moving	Improper movement of heavy equipment at RR grade crossing
BICYCLE				
0	\$5	39-10.1-04	Moving	Clinging to a vehicle
0	\$5	39-10.1-05	Moving	Riding on the roadway when bicycle paths are provided
MOTORCYCLE AND MOPEDS (For motorcycle equipment see sections 39-21 and 39-27)				
2	\$20	39-10.2-02	Moving	Riding more than designed for or interfering with the operator
2	\$20	39-10.2-03	Moving	Overtaking or passing vehicle in same lane or more than two abreast
4	\$20	39-10.2-04	Moving	Clinging to a vehicle
2	\$20	39-10.2-06	Moving	No helmet worn--driver (or passenger) under 18--or operators over 18 transporting passengers under 18 when the passenger is not wearing protective headgear
2	\$20	39-10.2-05	Moving	Carrying passengers on motorcycle not equipped with passenger footrests
PARKING				
0	\$5	39-01-15(6)	Non-Mov	Mobility impaired certificate or license plate not prominently displayed
0	\$100	39-01-15(8)	Infrac	Violated parking of mobility impaired - illegal use of permit or plate
0	\$100	39-01-15(10)	Non-Mov	Violated parking of mobility impaired
2	\$20	39-10-47	Non-Mov	Stopped, standing, or parking outside of business or residential district
0	\$5	39-10-48	Non-Mov	Vehicle improperly parked on Capitol Grounds when prohibited
1	\$20	39-10-49	Non-Mov	Stopping, standing, or parking in places where parking is prohibited
0	\$20	39-10-50	Non-Mov	Additional parking regulations
1	\$20	39-10-51	Non-Mov	Unattended motor vehicle improperly parked
1	\$20	39-10-54.1	Non-Mov	Opening door on vehicle when unsafe
BACKING				
0	\$20	39-10-52	Moving	Backing so as to interfere with traffic
0	\$20	39-10-52(2)	Moving	Backing vehicle on controlled access highway
MOBILE HOME				
0	\$20	39-10-52.2	Moving	Riding in house trailer
0	---	39-18-03	B Misd	Failure to register trailer home
0	---	39-18-04	B Misd	Towed trailer home not equipped with adequate brakes
HEIGHT, WEIGHT, LENGTH				
0	\$20	39-12-04	Moving	Overwidth, height, and length limitations
0	\$20	39-12-05	Moving	Overweight limitations
0	\$20	39-12-06	Moving	Extended load on side of vehicle
0	\$20	39-12-09	Moving	Operating a vehicle in violation of size or weight limitations (driver or owner permitting)
0	---	39-12-21	B Misd	Driver failed to stop or submit vehicle to weighing when ordered to do so by an officer
EQUIPMENT				
0	\$20	39-10-39	Moving	No signal lamps when required
0	\$20	39-21-01	Moving	Drove without headlamps when required
0	\$20	39-21-03	Moving	No headlamps (not operated--\$10)
0	\$20	39-21-04	Moving	Drove without taillights when required
0	\$20	39-21-04(3)	Moving	No license plate light when required
0	\$20	39-21-05	Moving	Operated new vehicle upon roadway without required reflectors (not operated--\$10)
0	\$20	39-21-06	Moving	Operated motor vehicle not equipped with stop lamps or turn signals
0	\$20	39-21-06.1	Moving	Operated motor vehicle while backup lights lighted
0	\$20	39-21-08	Non-Mov	No clearance lamps or reflectors when required
0	\$20	39-21-08	Non-Mov	No stop lamp - bus, semi, and trailer
0	\$20	39-21-09	Non-Mov	Improper color of clearance side marker, backup lamps, or reflectors
0	\$20	39-21-09(3)	Non-Mov	Only red light permitted to rear (see exemptions)

Classification of Offenses - Effective August 1, 2001

PT	BOND/ FEE	SECTION	OFFENSE	VIOLATION
EQUIPMENT cont'd				
0	\$20	39-21-10	Non-Mov	Improper mounting of reflectors, clearance lamps, and marker lamps
0	\$20	39-21-11	Non-Mov	Visibility of reflectors, clearance lamps, and marker lamps
0	\$20	39-21-12	Moving	Operated vehicle in combination with insufficient/improper lights
0	\$20	39-21-13	Moving	No flag or lamp on projecting load (not operated—\$10)
0	\$20	39-21-14	Non-Mov	No lamps or headlamps on high beam while parked
0	\$20	39-21-15	Moving	No lamps on farm tractor, equipment, and implements when required
0	\$20	39-21-16	Moving	No lamps on other vehicles and equipment
0	\$20	39-21-17	Moving	Operated vehicle with improperly aimed or mounted spot, fog, passing, or driving lamps
0	\$20	39-21-18	Moving	School bus not equipped with flashing signal lights/stop arm
0	\$20	39-21-18.1	Moving	Improper use of flashing lights by mail carrier
0	\$20	39-21-19	Moving	Operated vehicle with signal lamps and signal devices (not operated—\$10)
0	\$20	39-21-20	Moving	Vehicle not equipped with beam indicator
2	\$20	39-21-21(1)	Moving	Failed to dim headlamps for approaching vehicles
2	\$20	39-21-21(2)	Moving	Failed to dim headlamps when following another vehicle
0	\$20	39-21-22	Moving	Vehicle equipped with improperly aimed or improper headlamps
0	\$20	39-21-25	Moving	Operated vehicle while equipped with excessive number of lamps
0	\$20	39-21-26(2)	Moving	Unauthorized red or green light visible from the front
0	\$20	39-21-26(3)	Moving	Unauthorized flashing light
0	\$20	39-21-27	Moving	Operated school bus red flashing lights while bus in motion
0	\$20	39-21-28	Moving	Operated snow removal equipment upon highway without displaying proper lights
0	\$20	39-21-29	Moving	Vehicle equipped with lamp which has not been approved
2	\$20	39-21-32	Moving	Defective brakes on motor vehicle (not operated—\$10)
2	\$20	39-21-32(3)	Moving	Defective brakes or no safety chains on trailer
2	\$20	39-21-33	Moving	Maintenance of brakes required
0	\$20	39-21-36	Moving	No horn
0	\$20	39-21-36	Moving	Operated vehicle equipped with unauthorized siren, whistle, or bell
0	\$20	39-21-37	Moving	Defective muffler or no muffler (not operated—\$10)
0	\$20	39-21-38	Moving	No mirror
0	\$20	39-21-39(1)	Moving	Driving vehicle with obstructed windshield or no windshield (not operated—\$10)
0	\$20	39-21-39(3)	Moving	Operated vehicle with faulty or no windshield wipers
0	\$20	39-21-39(4)	Moving	Vehicles having tinted windshield or driver compartment window not to be operated
0	\$20	39-21-40	Moving	Drove with studded tires when illegal (legal period—October 15 - April 15)
0	\$20	39-21-40	Moving	Operated vehicle with cleat, spike, or metal flange in contact with road surface, except studded tires
1	---	39-21-41.2	Moving	Operator/responsible party failed to provide child restraint device
0	\$20	39-21-41.4	Moving	Front seat passenger or driver not belted—secondary offense only; mail carriers, implements of husbandry, and farm vehicles are exempt
0	\$20	39-21-42	Moving	Certain vehicles to carry flares or other warning devices
0	\$20	39-21-43	Moving	Failed to display flares
0	\$20	39-21-44.1	Moving	Drove vehicle with leaking or shifting load
0	\$20	39-21-44.2	Non-Mov	Improper drawbar or connections between vehicles (not operated—\$10)
2	---	39-21-45.1	Infrac	Modification of motor vehicle
2	---	39-21-46	Infrac	Operating an unsafe vehicle (subsection 1)
0	\$20	39-21-50	Moving	Failed to display slow moving emblem or flashing amber light
0	---	39-21-51	B Misd	Altered odometer or mileage recorders (first offense)
0	---	39-21-51	C Felony	Altered odometer or mileage recorders (second offense or more than one vehicle)

MOTOR VEHICLE DEALERS

0	---	39-04-17	Infrac	Certificate of notary violation
0	---	39-22-07.1	B Misd	Prohibits sale of motor vehicle on Sunday
0	---	39-22-02	B Misd	Failed to obtain MV dealer's license
0	---	39-22-07	Infrac	Dealer permitted license to be used by another dealer
0	---	39-22.1-01	Infrac	Failed to obtain trailer dealer's license

FEES AND POINTS FOR SPEEDING IN 55 ZONES

MHP	FEE	PT	MPH	FEE	PT	MPH	FEE	PT	MPH	FEE	PT	MPH	FEE	PT
56-60	\$5	0	69	\$14	1	78	\$34	5	87	\$61	9	96	\$88	12
61	\$6	0	70	\$15	1	79	\$37	5	88	\$64	9	97	\$91	12
62	\$7	0	71	\$17	3	80	\$40	5	89	\$67	9	98	\$94	12
63	\$8	0	72	\$19	3	81	\$43	9	90	\$70	9	99	\$97	12
64	\$9	0	73	\$21	3	82	\$46	9	91	\$73	12	100	\$100	12
65	\$10	0	74	\$23	3	83	\$49	9	92	\$76	12	101	\$105+	15
66	\$11	1	75	\$25	3	84	\$52	9	93	\$79	12	+ \$5 for each mph over 100 mph		
67	\$12	1	76	\$28	5	85	\$55	9	94	\$82	12			
68	\$13	1	77	\$31	5	86	\$58	9	95	\$85	12			

FEES AND POINTS FOR SPEEDING IN 65 ZONES

MHP	FEE	PT	MPH	FEE	PT	MPH	FEE	PT	MPH	FEE	PT	MPH	FEE	PT
66	\$11	0	76	\$28	1	86	\$58	5	96	\$88	9	106	\$150	12
67	\$12	0	77	\$31	1	87	\$61	5	97	\$91	9	107	\$155	12
68	\$13	0	78	\$34	1	88	\$64	5	98	\$94	9	108	\$160	12
69	\$14	0	79	\$37	1	89	\$67	5	99	\$97	9	109	\$165	12
70	\$15	0	80	\$40	1	90	\$70	5	100	\$100	9	110	\$170	12
71	\$17	0	81	\$43	3	91	\$73	9	101	\$125+	12	111	\$175	15
72	\$19	0	82	\$46	3	92	\$76	9	102	\$130	12	+ \$5 for each mph over 101 mph		
73	\$21	0	83	\$49	3	93	\$79	9	103	\$135	12			
74	\$23	0	84	\$52	3	94	\$82	9	104	\$140	12			
75	\$25	0	85	\$55	3	95	\$85	9	105	\$145	12			

FEES AND POINTS FOR SPEEDING IN 70 ZONES

MHP	FEE	PT	MPH	FEE	PT	MPH	FEE	PT	MPH	FEE	PT	MPH	FEE	PT
71	\$11	0	81	\$28	1	91	\$58	5	101	\$88	9	111	\$150	12
72	\$12	0	82	\$31	1	92	\$61	5	102	\$91	9	112	\$155	12
73	\$13	0	83	\$34	1	93	\$64	5	103	\$94	9	113	\$160	12
74	\$14	0	84	\$37	1	94	\$67	5	104	\$97	9	114	\$165	12
75	\$15	0	85	\$40	1	95	\$70	5	105	\$100	9	115	\$170	12
76	\$17	0	86	\$43	3	96	\$73	9	106	\$125+	12	116	\$175	15
77	\$19	0	87	\$46	3	97	\$76	9	107	\$130	12	+ \$5 for each mph over 106 mph		
78	\$21	0	88	\$49	3	98	\$79	9	108	\$135	12			
79	\$23	0	89	\$52	3	99	\$82	9	109	\$140	12			
80	\$25	0	90	\$55	3	100	\$85	9	110	\$145	12			

FEE AND POINT SCHEDULE FOR SPEEDING

Speed (mph)	Speed Zones 55 or less		Speed Zones greater than 55 mph		PT
	Fee (\$)		Fee (\$)		
1-5 mph over limit	\$5		\$10+	\$1/each mph over limit	0
6-10 mph over limit	\$5+	\$1/each mph over 5 mph over limit	\$15+	\$2/each mph over 5 mph over limit	0
11-15 mph over limit	\$10+	\$1/each mph over 10 mph over limit	\$25+	\$3/each mph over 10 mph over limit	1
16-20 mph over limit	\$15+	\$2/each mph over 15 mph over limit	\$40+	\$3/each mph over 15 mph over limit	3
21-25 mph over limit	\$25+	\$3/each mph over 20 mph over limit	\$55+	\$3/each mph over 20 mph over limit	5
26-35 mph over limit	\$40+	\$3/each mph over 25 mph over limit	\$70+	\$3/each mph over 25 mph over limit	9
36-45 mph over limit	\$70+	\$3/each mph over 35 mph over limit	\$120+	\$5/each mph over 35 mph over limit	12
46 mph + over limit	\$100+	\$5/each mph over 45 mph over limit	\$170+	\$5/each mph over 45 mph over limit	15

FEES AND POINTS FOR SPEEDING IN CONSTRUCTION/SCHOOL ZONES

35 Zone	40 Zone	50 Zone	Fee	Pts	35 Zone	40 Zone	50 Zone	Fee	Pts
38-40	41-45	51-55	\$40	0	57	62	72	\$52	5
41-45	46-50	56-60	\$40	1	58	63	73	\$53	5
46	51	61	\$41	1	59	64	74	\$54	5
47	52	62	\$42	1	60	65	75	\$55	5
48	53	63	\$43	1	61	66	76	\$56	9
49	54	64	\$44	1	62	67	77	\$57	9
50	55	65	\$45	1	63	68	78	\$58	9
51	56	66	\$46	3	64	69	79	\$59	9
52	57	67	\$47	3	65	70	80	\$60	9
53	58	68	\$48	3	66	71	81	\$61	9
54	59	69	\$49	3	67	72	82	\$62	9
55	60	70	\$50	3	68*	73*	83*	\$64	9
56	61	71	\$51	5	*Regular fee becomes greater				

Construction Zone Criteria: 1) Must be signed "Minimum Fee \$40" 2) Construction workers must be present
 School Zone Criteria: During recess; during opening and closing hours of the school
 Fees: 1-10 mph over—\$40; 11 mph and higher—\$40 plus \$1 for each mph over 10 mph

PT	BOND/ FEE	SECTION	OFFENSE	VIOLATION
REGISTRATION				
0	-----	39-04-02.1	Non-Mov	Change of address on registration card
1	\$20	39-04-11	Non-Mov	Failed to display current registration
0	-----	39-04-18(c)	B Misd	Failed to register vehicle upon becoming gainfully employed—trucks
0	-----	39-04-18(e)	B Misd	Failed to register vehicle upon becoming gainfully employed—P. vehicles
0	\$20	39-04-22	Moving	Exceeded gross weight for which registered
0	\$20	39-04-37	Moving	Failed to register motor vehicle - Section 1
0	-----	39-04-37	B Misd	Unlawful use of license plate or tab - Section 2, 3, 4, 5
0	\$20	39-04-55	Moving	Failed to carry registration card in vehicle
0	-----	39-05-17	Infrac	Failure to transfer title of vehicle
0	-----	39-05-28	C Felony	Fraudulently defacing, destroying, or altering motor vehicle identification numbers
0	-----	39-19-03	Infrac	Failed to pay mile tax when required
DRIVER LICENSE				
4	\$20	39-06-01	Moving	Drove without operator's license
4	\$20	39-06-1-03		Violated or exceeded restrictions contained in temporary restricted driving certificate
0	\$20	39-06-02(5)		Failure to obtain ND driver's license
0	-----	39-06-04	Infrac	Violated instruction period
4	\$20	39-06-14	Moving	Drove vehicle other than permitted by class license
0	\$20	39-06-16	Moving	Failed to have driver's license in possession
4	-----	39-06-17	B Misd	Violated driver's license or work permit restrictions (Violated eye lens restrictions - 3 points)
4	\$20	39-06-17(6)	Non-Mov	Violated drivers license restriction (juvenile)
0	\$20	39-06-20		Notice of change of name or address
0	-----	39-06-40	B Misd	Unlawful use of license—lending/use someone else's/refuse to surrender any operator's license, permit, or ID card
0	-----	39-06-40.1	B Misd	Reproducing or altering operator's or driver's license, ID card, or permit - display or have in possession an altered driver's license
0	-----	39-06-42	B Misd	Drove while license privilege is suspended/revoked in this state
2	\$20	39-06-44	Non-Mov	Permitting unauthorized minor to drive
2	\$20	39-06-45	Non-Mov	Permitting unauthorized person to drive
ACCIDENT				
18	-----	39-08-04	A Misd	Leaving the scene of an accident involving minor injury (death or serious injury—C felony)
14	-----	39-08-05	B Misd	Leaving the scene of an accident involving an attended vehicle, property damage
14	-----	39-08-07	A Misd	Leaving the scene of an accident involving an unattended vehicle
14	-----	39-08-08	Infrac	Leaving the scene of an accident with a fixed object
6	\$50	39-08-09	Infrac	Failure to give immediate notice of reportable accident
6	-----	39-09-01	Infrac	Careless driving - causes and inflicts injury upon operator of snow; removal equipment or damage in excess of \$1000
SPEED				
6	\$30	39-09-01	Moving	Careless driving in violation of basic rule
2	\$30	39-09-01.1	Moving	Care required in operating vehicle
		39-09-02	Moving	Exceeded speed limit (fee as provided)
	\$40+	39-09-02(1b)	Moving	Exceeded speed limit in school zone (fee as provided)
	\$40+	39-09-02(2)	Moving	Exceeded speed limit in construction zone (with sign & workers present)
0	\$20	39-09-04.1	Moving	Drove in excess of special speed limitations
0	\$20	39-09-09	Moving	Impeding traffic or operating slower than minimum posted speed
LIQUOR				
0	None	5-01-05.1		Intoxicated person (de-tox)
0	-----	5-01-08	B Misd	Possession, purchase, or consumption of an alcoholic beverage—minor
0	-----	5-01-08	B Misd	Minor furnishing money for purchase of alcoholic beverage
0	-----	5-01-09	A Misd	Delivering alcoholic beverage to minor
0	-----	5-02-05	A Misd	Violation of hours for licensed liquor establishment
-----	-----	39-08-01	B Misd	1st & 2nd conviction in 5-year period—drove or in actual physical control of a motor vehicle while under the influence of alcohol or drugs, in excess of .10% blood alcohol concentration
-----	-----	39-08-01	A Misd	3rd conviction in 5-year period—drove or in actual physical control of a motor vehicle while under the influence of alcohol or drugs, in excess of .10% blood alcohol concentration
-----	-----	39-08-01	A Misd	4th or subsequent conviction in a 7-year period—drove or in actual physical control of a motor vehicle while under the influence of alcohol or drugs, in excess of .10% blood alcohol concentration

PT	BOND/ FEE	SECTION	OFFENSE	VIOLATION
SNOWMOBILE				
0	-----	39-24.1-12	A Misd	Operating snowmobile while prohibited
0	-----	39-24.1-13	A/B Misd	Fleeing or attempting to elude a peace officer (operator of snowmobile)
0	\$50	39-24-02	Moving	Failed to register snowmobile
0	\$20	39-24-09(8)	Moving	No valid driver's license in possession while operating snowmobile
0	\$20	39-24-09.1	Non-Mov	Operation of snowmobile under age 16 (without certificate)
0	\$20	39-24-09(1)	Moving	Operated on shoulder of street, highway, or interstate when prohibited
0	\$20	39-24-09(2a)	Moving	Crossed roadway other than 90-degree angle
0	\$20	39-24-09(2b)	Moving	Failed to stop before crossing roadway
0	\$20	39-24-09(2c)	Moving	Failed to yield right of way to oncoming traffic
0	\$20	39-24-09(2d)	Moving	Crossed divided highway at other than an intersection
0	\$20	39-24-09(3)	Moving	No brakes, headlamps, or tailamps
0	-----	39-24-09(5b)	B Misd	Careless, reckless, or negligent operation of snowmobile
0	-----	39-24-09(5c)	Infrac or B Misd	Drove snowmobile while under the influence of intoxicating liquor or drugs
0	-----	39-24-09(5g)	B Misd	Operating on posted land
0	\$20	39-24-09(10)	Infrac	No helmet worn—operator or passenger under 18 years
0	-----	39-24-09(11)	B Misd	Operating or owner permitting operation of snowmobile without liability insurance
0	-----	39-24.1-08	Non-Crim	Revocation of privilege to operate snowmobile upon refusal to submit to testing
COMMERCIAL DRIVERS TRAINING				
0	-----	39-25-03	B Misd	Operating drivers training school without a license
0	-----	39-25-04	B Misd	Acting as a commercial driver training instructor
ALL-TERRAIN VEHICLES				
0	\$50	39-29-02	Infrac	Failed to register ATV
0	\$20	39-29-09(8)	Infrac	No valid driver's license in possession while operating an ATV
0	\$10	39-29-10	Infrac	Operation of ATV under 16 (without certificate)
0	\$20	39-29-09(1)	Infrac	Operated on shoulder of street, highway, or interstate when prohibited
0	\$20	39-29-09(2a)	Infrac	Crossed roadway other than 90-degree angle
0	\$20	39-29-09(2b)	Infrac	Failed to stop before crossing roadway
0	\$20	39-29-09(2c)	Infrac	Failed to yield right of way to oncoming traffic
0	\$20	39-29-09(2d)	Infrac	Crossing divided highway at other than an intersection
0	\$20	39-29-09(3)	Infrac	No brakes, headlamp, or tailamp
0	-----	39-29-09(5b)	B Misd	Careless, reckless, or negligent operation of ATV
0	-----	39-29-09(5c)	B Misd	Drove ATV while under the influence of intoxicating liquor or drugs
0	\$20	39-29-09(5g)	B Misd	Operating on posted land
0	\$20	39-29-09(9)	Infrac	No helmet worn—operator or passenger under 18 years
0	\$20	39-29-09(10)	Infrac	Carried passenger on ATV
MOTOR CARRIER ECONOMIC REGULATIONS				
0	-----	39-31-03	Infrac	Carriers must operate in accordance with law and rules
0	-----	39-31-08	Infrac	Household goods carrier - certificate of public convenience - temporary permit - application
0	-----	39-31-14	Infrac	Insurance required of carrier - liability of insurer
MOTOR CARRIER SAFETY REGULATIONS				
0	\$500	39-21-46(2)		Operating vehicle: after driver placed out-of-service; with 10 or more out-of-service defects; or prior to repair after vehicle has been placed out of service
0	\$250			False record of duty status/log book; operating vehicle with 7-9 out-of-service defects
0	\$100			Driving excess hours; duty status/log book violations; operating vehicle with 4-6 out of service defects
0	\$50			Violations not listed above
MOTOR CARRIER HAZARDOUS MATERIALS REGULATIONS				
2	\$250	39-21-44		Any violation

Classification of Offenses - Effective August 1, 2001

PT	BOND/ FEE	SECTION	OFFENSE	VIOLATION
MISCELLANEOUS				
0	---	39-03-11	A Misd	Impersonating patrolman
0	---	39-07-08	B Misd	Violated written promise to appear
8	---	39-08-03	B Misd	Reckless driving
12	---	39-08-03	A Misd	Aggravated reckless driving
10	\$100	39-08-03.1	Moving	Drag racing
3	\$50	39-08-03.1	Moving	Exhibition driving
10	\$100	39-08-03.1	Moving	Racing
0	---	39-08-19	B Misd	Willfully harassing or frightening any domestic animal with a motor vehicle
8	\$150	39-08-20	B Misd	Driving without liability insurance (in accident & owner—14 pts)
12	\$300	39-08-20	B Misd	Driving without liability insurance—second offense within 18 months
2	\$20	39-10-02	Moving	Failure to comply with a lawful order of police officer
0	\$20	39-10-38	Moving	Neglected signal when required
0	\$20	39-10-52.1	Moving	Driving upon sidewalk
0	\$20	39-10-54	Moving	Obstruction to driver's view or driving mechanism
0	\$20	39-10-56	Moving	Coasting prohibited
0	\$20	39-10-57	Moving	Following fire apparatus when prohibited
0	\$20	39-10-58	Moving	Drove across fire hose when prohibited
0	\$20	39-10-59	Moving	Depositing rubbish on the roadway
0	\$20	39-10-64	Moving	Drove through safety zone when prohibited
0	---	39-10-65	B Misd	Operated motor vehicle on protective flood works when prohibited
24	---	39-10-71	A Misd	Fleeing or attempting to elude a police officer (1st offense—A Misd; subsequent offense within 3 years—C Felony)
0	---	39-26-03	A Misd	Abandoned motor vehicle without receiving consent of the owner
HIGHWAY				
0	---	24-03-05	A Misd	Defacing, removing, or traveling through any barricade on highway
0	---	24-03-11	B Misd	Failed to erect warning signs at culvert, bridge, or on public roadway under repair
0	---	24-06-27	B Misd	Obstructed or caused injury to highway ditch
0	---	24-10-03	Infrac	Failed to close gates authorized on highway
0	---	24-12-01	B Misd	Destruction to highway, rest area, bridge, picnic area, etc.
0	---	24-12-02	B Misd	Obstructed or plowed up highway right of way
0	---	24-12-04	B Misd	Caused damage to highway signs and markings
CRIMINAL (Criminal Offenses Include Infractions, Misdemeanors, Felonies)				
0	---	12.1-02-02	B Felony	Operating a "chop shop"
0	---	12.1-08	A Misd	Harboring a runaway minor
0	---	12.1-08-02	Criminal	Resisting arrest—A Misd
0	---	12.1-08-03	Criminal	Interfering with an officer—C Felony & A Misd
0	---	12.1-08-06	Criminal	Escape—Felony or A Misd (depending on offense)
0	---	12.1-08-11	A/B Misd	Fleeing a peace officer (non-driver)
0	---	12.1-11-03	Criminal	False information to a police officer—A Misd
0	---	12.1-16-03	C Felony	Negligent homicide
0	---	12.1-17-11	A Misd	Contact by body fluids if the individual is reckless; C Felony if knowingly causes contact
0	---	12.1-17-12	B Felony	If negligently causes serious bodily harm while fleeing a peace officer; A Felony if negligently causes death
0	---	12.1-23-05	C Felony	Disarming or attempting to disarm a law enforcement officer
0	---	12.1-31-01	A Misd	Violated restraining order under section 4 or 5
0	---	12.1-31-01	B Misd	Disorderly conduct
0	---	12.1-31-03	Infrac	Use of tobacco products by a minor
0	---	12.1-31.1-03	A Misd	Possession of drug paraphernalia
0	---	14-10-06	A Misd	Contributing to the delinquency of a minor - sexual conduct under 16—C Felony
0	---	19-03.1	B Misd	Inhalation of vapors—volatile chemicals
0	---	19-03.1-23	Criminal	Possession of a controlled substance (marijuana)
0	---	20.1-01-06	B Misd	Being afield with gun, firearm, or bow and arrow while under the influence of intoxicating liquor and/or drugs
0	---	20.1-13-07	B Misd	Operating a motorboat or vessel while under the influence of intoxicating liquor and/or drugs
0	---	23-29-05.1	Infrac	Littering
0	---	24-15-05	B Misd	Proceeded or traveled through established roadblock
0	---	62.1-02-10	B Misd	Carrying a loaded firearm in a vehicle
0	---	62.1-03-01	A Misd	Carrying a handgun other than permitted by law
0	---	62.1-04-02	A Misd	Carrying a concealed weapon

CLASSIFICATION OF OFFENSES



Compliments of
NDPOA and NDHP

August 1, 2001