

Introduced by

Representatives Nelson, Delmore, Headland, Hunskor

Senators Heitkamp, Trenbeath

1 A BILL for an Act to amend and reenact sections 39-24-04 and 39-24-11 of the North Dakota  
2 Century Code, relating to a snowmobile access fee; to provide a penalty; to provide an  
3 appropriation; and to provide an effective date.

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

5 **SECTION 1. AMENDMENT.** Section 39-24-04 of the North Dakota Century Code is  
6 amended and reenacted as follows:

7 **39-24-04. Exemption from registration - Exemption from fees.**

- 8 1. A registration number must be issued without the payment of a fee for  
9 snowmobiles owned by the state of North Dakota or any of its political subdivisions  
10 upon application for the registration.
- 11 2. No registration or fees may be required of:
- 12 a. Snowmobiles owned and used by the United States or another state or its  
13 political subdivisions.
- 14 b. Snowmobiles registered in a country other than the United States and  
15 temporarily used within this state.
- 16 c. Snowmobiles validly licensed in another state and which have not been within  
17 this state for more than thirty consecutive days.
- 18 d. Snowmobiles operated upon lands owned or leased by the snowmobile  
19 owner.
- 20 e. Snowmobiles incapable of speeds in excess of ten miles per hour and with an  
21 engine displacement of less than one hundred cubic centimeters.
- 22 3. If a snowmobile is exempt from registration under subdivision b or c of  
23 subsection 2 of this section, the owner is required to display on the snowmobile a

1                   decal received upon payment of a fifteen dollar per year trail access fee. Fees  
2                   collected under this subsection must be deposited in the state snowmobile fund.

3                   **SECTION 2. AMENDMENT.** Section 39-24-11 of the North Dakota Century Code is  
4 amended and reenacted as follows:

5                   **39-24-11. Penalties.** Any person who violates subdivision b or g of subsection 5 of  
6 section 39-24-09 is guilty of a class B misdemeanor. Any person who violates subdivision c of  
7 subsection 5 of section 39-24-09 is guilty of an infraction or a class B misdemeanor as  
8 determined by section 39-24.1-07. Any person who violates subsection 11 of section 39-24-09  
9 is guilty of a class B misdemeanor and must be assessed a fine of at least one hundred dollars.  
10 Any person who violates any other provision of section 39-24-09 must be assessed a fee of  
11 twenty dollars. Any person, unless specifically exempted, who fails to register or fails to display  
12 a decal as required by ~~section~~ sections 39-24-02 and 39-24-04 must be assessed a fee of fifty  
13 dollars. If the person provides proof of registration after the violation, the fee may be reduced  
14 by one-half. Any person who violates any other provision of this chapter for which a specific  
15 penalty is not provided must be assessed a fee of ten dollars.

16                   **SECTION 3. APPROPRIATION.** There is appropriated out of moneys in the state  
17 snowmobile fund in the state treasury, not otherwise appropriated, the sum of \$4,995, or so  
18 much of the sum as may be necessary, to the parks and recreation department for the  
19 purposes of establishing and administering the decal program for snowmobiles registered in  
20 another state or country, for the biennium beginning July 1, 2003, and ending June 30, 2005.

21                   **SECTION 4. EFFECTIVE DATE.** Section 1 of this Act becomes effective on August 1,  
22 2005.