

## HOUSE BILL NO. 1375

Introduced by

Representatives Delmore, Nicholas, Warner

Senators Kinnoin, St. Aubyn, Wardner

1 A BILL for an Act to create and enact section 39-18-03.2 of the North Dakota Century Code,  
2 relating to park model trailer fees; to amend and reenact subsection 2 of section 57-40.3-01 and  
3 subsection 2 of section 57-55-10 of the North Dakota Century Code, relating to park model  
4 trailers; and to provide an effective date.

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

6 **SECTION 1.** Section 39-18-03.2 of the North Dakota Century Code is created and  
7 enacted as follows:

8 **39-18-03.2. Park model trailer fee.** The owner of a park model trailer, as defined in  
9 subsection 2 of section 57-55-10, shall pay the department a fee of twenty dollars per calendar  
10 year to qualify for the exemption under section 57-55-10. The department shall issue a receipt  
11 for payment of the fee under this section but payment of the fee does not confer any rights to  
12 the owner of a park model trailer which are not otherwise provided by law. Fees collected  
13 under this section must be deposited in the highway tax distribution fund.

14 **SECTION 2. AMENDMENT.** Subsection 2 of section 57-40.3-01 of the 1997  
15 Supplement to the North Dakota Century Code is amended and reenacted as follows:

16 2. "Motor vehicle" includes every vehicle ~~which~~ that is self-propelled and every  
17 vehicle ~~which~~ that is propelled by electric power obtained from overhead trolley  
18 wires, but not operated upon rails, every trailer, semitrailer, park model trailer as  
19 defined in subsection 2 of section 57-55-10, all-terrain vehicle, snowmobile, and  
20 travel trailer for which a certificate of title is required to be obtained ~~pursuant to the~~  
21 ~~provisions of~~ under chapter 39-05, but not including housetrainers, or mobile  
22 homes.

23 **SECTION 3. AMENDMENT.** Subsection 2 of section 57-55-10 of the 1997 Supplement  
24 to the North Dakota Century Code is amended and reenacted as follows:

- 1           2. ~~The provisions of this~~ This chapter ~~shall~~ does not apply to a mobile home ~~which~~  
2           that:
- 3           a. Is used only for the temporary living quarters of the owner or other occupant  
4           while ~~such~~ the person is engaged in recreational or vacation activities,  
5           provided ~~that such~~ the unit ~~displays~~;
- 6           (1) Displays a current travel trailer license; or  
7           (2) Is a park model trailer that is used only for seasonal or recreational  
8           living quarters and not as a primary residence, and which is located in a  
9           trailer park or campground, and for which the owner has paid a park  
10           model trailer fee under section 39-18-03.2. For purposes of this  
11           paragraph, "park model" trailer means a recreational vehicle not  
12           exceeding forty feet [12.19 meters] in length which is primarily designed  
13           to provide temporary living quarters for recreation, camping, or  
14           seasonal use, is built on a single chassis, is mounted on wheels, has a  
15           gross trailer area not exceeding four hundred square feet [37.16 square  
16           meters] of enclosed living space in the setup mode, and is certified by  
17           the manufacturer as complying with American national standards  
18           institute standard A119.5.
- 19           b. Qualifies as a farm residence as described by subsection 15 of section  
20           57-02-08, provided such mobile home is permanently attached to the ground.
- 21           c. Is permanently attached to a foundation and is assessed as real property,  
22           provided the owner of such mobile home also owns the land on which such  
23           mobile home is located.
- 24           d. Is owned by a licensed mobile home dealer who holds such mobile home  
25           solely for the purpose of resale, and provided that such mobile home is not  
26           used as living quarters or as the place for the conducting of any business.

27           **SECTION 4. EFFECTIVE DATE.** This Act is effective for taxable events occurring after  
28           December 31, 1998.