

**FIRST ENGROSSMENT
with Conference Committee Amendments**

ENGROSSED HOUSE BILL NO. 1012

Introduced by

Appropriations Committee

(At the request of the Governor)

1 A BILL for an Act to provide an appropriation for defraying the expenses of the various divisions
2 under the supervision of the director of the department of transportation; to provide an
3 appropriation to the department of corrections and rehabilitation; to provide for a legislative
4 council study; to create and enact a new section to chapter 39-04 of the North Dakota Century
5 Code, relating to commemorative Lewis and Clark number plates; and to amend and reenact
6 sections 39-04-08.1, 39-04-11, and subsection 4 of section 39-04-19 of the North Dakota
7 Century Code, relating to the display of and fees for number plates and tabs.

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

9 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the
10 funds as may be necessary, are hereby appropriated out of any moneys from special funds
11 derived from federal funds and other income, to the various divisions under the supervision of
12 the director of the department of transportation for the purpose of defraying its expenses, for
13 the biennium beginning July 1, 1999, and ending June 30, 2001, as follows:

14 Administration	\$25,857,360
15 Motor vehicle	7,613,072
16 Driver's license	9,438,859
17 Highways	548,726,965
18 Fleet services	<u>33,751,351</u>
19 Total special funds	\$625,387,607

20 **SECTION 2. LINE ITEM TRANSFERS - EMERGENCY COMMISSION AND BUDGET**

21 **SECTION APPROVAL.** Upon approval of the emergency commission, the director of the
22 department of transportation may transfer between various line items in section 1 of this Act
23 appropriation authority of up to ten percent of a given line item to adjust for changing

1 circumstances in meeting established performance measures. Any further transfers must be
2 approved by the budget section.

3 **SECTION 3. APPROPRIATION - ROUGHRIDER INDUSTRIES.** There is hereby
4 appropriated from special funds, derived from income, the sum of \$75,000, or so much of the
5 sum as may be necessary, to the department of corrections and rehabilitation for the purpose
6 of defraying the expenses associated with the production of a Lewis and Clark commemorative
7 license plate for the biennium beginning July 1, 1999, and ending June 30, 2001.

8 **SECTION 4. LEGISLATIVE COUNCIL STUDY - FLEET SERVICES.** The legislative
9 council shall consider studying, during the 1999-2000 interim, the fleet services program of the
10 department of transportation. The study should include a review, the cost-effectiveness of the
11 program, and the methods used to project and set motor pool rates.

12 **SECTION 5. LEGISLATIVE COUNCIL STUDY OF USED MOTOR VEHICLE**
13 **DEALERS.** During the 1999-2000 interim, the legislative council shall consider studying the
14 licensing of used motor vehicle dealers, including fees, dealer plates, and insurance coverage.
15 If the study is conducted, the legislative council shall report its findings and recommendations,
16 together with any legislation necessary to implement the recommendations, to the fifty-seventh
17 legislative assembly.

18 **SECTION 6.** A new section to chapter 39-04 of the North Dakota Century Code is
19 created and enacted as follows:

20 **Commemorative Lewis and Clark number plates.** The director shall design and
21 issue a distinctive number plate commemorating Lewis and Clark. The director shall issue this
22 plate upon application and payment of an additional fee of ten dollars. All additional fees
23 collected under this section must be deposited in the highway fund.

24 **SECTION 7. AMENDMENT.** Section 39-04-08.1 of the North Dakota Century Code is
25 amended and reenacted as follows:

26 **39-04-08.1. Assignment of motor vehicle number plates.** Motor vehicle number
27 plates may not be assigned as a reward for any political activity, in recognition of any political
28 affiliation or membership in any political party, or on the basis of political favoritism. However,
29 an elected state office may be assigned a single or double digit number on a number plate as
30 requested by that official. Except as provided in sections 39-04-10 and 39-04-10.3, the
31 department shall charge a nonrefundable fee of ten dollars if an applicant chooses a number

1 plate other than the number plate randomly assigned. The department of transportation ~~shall~~
2 may adopt rules governing the assignment of numbers on motor vehicle number plates in
3 accordance with this section.

4 **SECTION 8. AMENDMENT.** Section 39-04-11 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **39-04-11. Display of number plates and tabs.** Except as otherwise specifically
7 provided, ~~no~~ a person may not operate or drive a vehicle on the public highways of this state
8 unless the vehicle has a distinctive number assigned to it by the department, and two number
9 plates, bearing the distinctive number conspicuously displayed, horizontally and in an upright
10 position, one on the front and one on the rear of the vehicle, each securely fastened, except
11 number plates assigned to a motorcycle, trailer, or housetrailer must be attached to the rear
12 thereof. When only one number plate is furnished for an apportioned vehicle licensed under
13 the international registration plan as authorized in section 39-19-04, truck tractor, or semitrailer,
14 the plate must be attached to the front of the apportioned vehicle or truck tractor and the rear of
15 the semitrailer. The bottom of each number plate must be at a height of not less than twelve
16 inches [30.48 centimeters] above the level surface upon which the vehicle stands. Each plate
17 must be mounted in a manner that does not cover any words, letter, or number on the plate.
18 As far as is reasonably possible, the plates must at all times be kept free and clear of mud, ice,
19 or snow so as to be clearly visible and all number plates, markers, or evidence of registration or
20 licensing except for the current year must be removed from the vehicle. All vehicle license
21 plates issued by the department continue to be the property of the state of North Dakota for the
22 period for which the plates are valid. An annual registration tab or sticker for the current
23 registration year must be displayed on each number plate, in the area designated by the
24 department for the tab or sticker, in those years for which tabs or stickers are issued in lieu of
25 number plates.

26 **SECTION 9. AMENDMENT.** Subsection 4 of section 39-04-19 of the North Dakota
27 Century Code is amended and reenacted as follows:

28 4. Every trailer, semitrailer, and farm trailer required to be registered under this
29 chapter must be furnished registration plates upon the payment of a twenty dollar
30 annual fee. Every trailer, semitrailer, or farm trailer not required to be registered
31 under this chapter must be furnished an identification plate upon the payment of a

1 fee of five dollars. Upon the request of a person with a trailer or farm trailer to
2 whom a registration or identification plate is provided under this subsection, the
3 department shall provide a plate of the same size as provided for a motorcycle.
4 The department shall provide notification of this option to the person before the
5 replacement or issuance of the plate.