

SENATE BILL NO. 2161

Introduced by

Transportation Committee

(At the request of the Department of Transportation)

1 A BILL for an Act to create and enact a new subsection to section 39-01-01 of the North Dakota
2 Century Code, relating to the definition of recreational vehicle; and to amend and reenact
3 subsection 2 of section 39-04-36, subsection 4 of section 39-05-17.2, subparagraph a of
4 paragraph 3 of subdivision b of subsection 2 of section 39-06-14, and section 39-18-01 of the
5 North Dakota Century Code, relating to vehicle registration fee credits, motor vehicle body
6 damage disclosure, and correction of statutory references.

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

8 **SECTION 1.** A new subsection to section 39-01-01 of the North Dakota Century Code
9 is created and enacted as follows:

10 "Recreational vehicle" means any all-terrain vehicle, snowmobile, vessel, or
11 personal watercraft.

12 **SECTION 2. AMENDMENT.** Subsection 2 of section 39-04-36 of the North Dakota
13 Century Code is amended and reenacted as follows:

14 2. Upon applying for the transfer of the registration and paying a five dollar fee, a
15 person who transfers or assigns to another person the ownership of a registered
16 vehicle may receive credit for the unused portion of the fees paid for the
17 transferred vehicle. The department may establish procedures that permit the
18 transferor to assign the credit to the transferee. One-twelfth of the annual fee must
19 be credited for each month of the registration period remaining after the month in
20 which the transfer is made. The credit may not extend beyond the original
21 expiration of the registration. Except as provided in section 39-04-44, the credit
22 must be applied to the registration fees for a replacement vehicle. The transferor
23 shall apply for the transfer of registration within thirty days of the purchase of the
24 replacement vehicle.

1 **SECTION 3. AMENDMENT.** Subsection 4 of section 39-05-17.2 of the North Dakota
2 Century Code is amended and reenacted as follows:

3 4. A person repairing, replacing parts, or performing body work on a motor vehicle
4 that is less than ~~eight~~ nine years old shall provide a statement to the owner of the
5 motor vehicle when the motor vehicle has sustained motor vehicle damage
6 requiring disclosure under this section. The owner shall disclose this damage
7 when ownership of the motor vehicle is transferred. When a vehicle is damaged in
8 excess of seventy-five percent of its retail value as determined by the national
9 automobile dealers association official used car guide, the person repairing,
10 replacing parts, or performing body work on the motor vehicle that is less than
11 eight years old shall also advise the owner of the motor vehicle that the owner of
12 the vehicle must comply with section 39-05-20.2.

13 **SECTION 4. AMENDMENT.** Subparagraph a of paragraph 3 of subdivision b of
14 subsection 2 of section 39-06-14 of the North Dakota Century Code is amended and reenacted
15 as follows:

16 (a) A double trailer, triple trailer, or, if under eighteen years of age, a
17 truck tractor as defined in ~~subsection 85~~ of section 39-01-01.

18 **SECTION 5. AMENDMENT.** Section 39-18-01 of the North Dakota Century Code is
19 amended and reenacted as follows:

20 **39-18-01. Mobile home dealer's license - Fees - Dealer's plates.** No person,
21 partnership, corporation, or limited liability company may engage in the business of buying,
22 selling, or exchanging of mobile homes or travel trailers, or advertise or hold oneself or itself out
23 to the public as being in the business of buying, selling, or exchanging of mobile homes or
24 travel trailers without first being licensed to do so as hereinafter provided.

25 Application for dealer's license and renewal license must be made to the department on
26 such forms as the department prescribes and furnishes, and the application must be
27 accompanied by an annual fee of thirty-five dollars for which must be issued one dealer plate.
28 A dealer's license expires on December thirty-first of each year, and application for renewal of a
29 dealer's license must be made on or before the expiration of the current dealer's license.

1 A mobile home dealer's license must be issued only to those who will maintain a
2 permanent office and place of business, and an adequate service department, during the
3 licensing year, and will abide by all the provisions of law pertaining to mobile home dealers.

4 In addition, the dealer shall maintain that person's business records in one central
5 location.

6 Upon the payment of the fee of ten dollars for each additional plate, the department
7 shall register and issue dealer's license plates for use on any mobile homes owned by the
8 licensed dealer, and the mobile homes bearing the dealer's license plates may be lawfully
9 operated upon the public highways of the state of North Dakota by the dealer, and the dealer's
10 agents and servants, during the year of the registration. A dealer's license plates expire on
11 December thirty-first of each year.

12 The term "mobile home" as used in this chapter includes and has the same meaning as
13 "housetrailer", and both terms have the meaning prescribed in ~~subsection 82~~ of section
14 39-01-01. The term "travel trailer" as used in this chapter has the meaning as prescribed in
15 section 39-01-01.

16 Any mobile home dealer licensed under the provisions of this chapter may sell house
17 cars without being licensed under the provisions of chapter 39-22. A mobile home dealer plate
18 displayed on a house car must be displayed on the rear of the vehicle.