

HOUSE BILL NO. 1294

Introduced by

Representatives Clark, Carlson

Senator Wardner

1 A BILL for an Act to create and enact a new section to chapter 57-55 of the North Dakota
2 Century Code, relating to documentation of taxes paid for transfer of title to a mobile home; and
3 to amend and reenact section 39-18-03 of the North Dakota Century Code, relating to
4 documentation of taxes paid for transfer of title to a mobile home.

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

6 **SECTION 1. AMENDMENT.** Section 39-18-03 of the North Dakota Century Code is
7 amended and reenacted as follows:

8 **39-18-03. Titling and licensing of mobile homes, housetrailers, and travel trailers**

9 **- License fee.** The owner of a travel trailer, housetrailer, or mobile home, who sells or transfers
10 the title to such vehicle shall endorse an assignment and warranty of title upon the certificate of
11 title for such vehicle, along with a statement as to whether there are liens or encumbrances
12 thereon. The owner shall deliver the certificate of title to the purchaser within fifteen days after
13 such sale if title passes to the purchaser. If the legal title does not pass to the purchaser under
14 the contract for sale of the vehicle, the legal title owner shall endorse thereon a statement that
15 the owner holds the lien, the date thereof, and the name of the purchaser, and shall send the
16 certificate of title to the department with an application of the purchaser for a new certificate of
17 title showing the name of the legal owner, the registered owner, the date of the lien of the legal
18 owner, which certificate of title when issued must be returned by the department to the legal title
19 owner; who shall retain the same in the owner's possession until the terms of the contract are
20 complied with by the purchaser, and thereupon, after showing that the lien has been paid and
21 satisfied the owner shall deliver the certificate of title properly assigned to the purchaser. The
22 purchaser or transferee shall present the endorsed and assigned certificate to the department,
23 within thirty days after the receipt thereof, accompanied by a transfer fee of five dollars, and
24 shall make an application for and obtain a new certificate of title for such vehicle. The

1 application for transfer of title must include documentation as required in section 2 of this Act or
2 a new certificate of title may not be issued. A penalty of not more than ten dollars may be
3 imposed by the director for failure to present the certificate of title to the department as required
4 by this section. Except when transported by a drive-away transporter duly registered and
5 licensed under the laws of this state, no person may haul a mobile home, housetrailer, or travel
6 trailer unless the same is first registered with and titled by the department, a certificate of title
7 has been issued, and it displays a number plate issued by and under such regulations as the
8 director may prescribe. The annual fee for such licensing is twenty dollars for mobile homes
9 and housetrailer and twenty dollars for travel trailers.

10 The registration required hereunder must be on a calendar-year basis.

11 If such mobile home, housetrailer, or travel trailer enters the state carrying the current
12 number plate of another state, no number plates may be required by the state of North Dakota
13 for a period of thirty days.

14 The annual license fee provided for in this section does not preclude the taxation of
15 certain mobile homes pursuant to chapter 57-55.

16 If such mobile home, housetrailer, or travel trailer remains stationary or parked within
17 the state of North Dakota for a period of one year, no license may be required for that year,
18 provided that nothing in this chapter permits the use of a dealer's plate on such mobile home,
19 housetrailer, or travel trailer after the same has been sold by the dealer to whom such plate was
20 issued.

21 **SECTION 2.** A new section to chapter 57-55 of the North Dakota Century Code is
22 created and enacted as follows:

23 **Documentation of taxes paid for purposes of transfer of title.** Before the title to a
24 mobile home is sent to the motor vehicle department for transfer, the county director of tax
25 equalization shall verify on the title that all delinquent and current taxes due on the mobile home
26 being transferred have been paid. This section applies to all mobile homes except mobile
27 homes entering and being registered in this state for the first time and all mobile homes sold by
28 a licensed mobile home dealer, provided that for a used mobile home sale the dealer signs a
29 statement that the used mobile home was on the dealer's sales lot at the time of sale.