

SENATE BILL NO. 2378

Introduced by

Senators Erbele, O'Connell

Representatives R. Kelsch, Porter

1 A BILL for an Act to create and enact section 39-10-73 of the North Dakota Century Code,
2 relating to passengers in a vehicle; and to amend and reenact section 39-06.1-08 of the North
3 Dakota Century Code, relating to nonmoving violations.

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

5 **SECTION 1. AMENDMENT.** Section 39-06.1-08 of the 1999 Supplement to the North
6 Dakota Century Code is amended and reenacted as follows:

7 **39-06.1-08. Nonmoving violation defined.** For the purposes of section 39-06.1-06, a
8 "nonmoving violation" means:

- 9 1. A violation of section 39-04-11, subsection 6 of section 39-06-17, and section
10 39-06-44, 39-06-45, 39-10-47, 39-10-49, 39-10-50, 39-10-51, 39-10-54.1,
11 39-10-73, 39-21-08, 39-21-10, 39-21-11, or 39-21-14, or a violation of any
12 municipal ordinance equivalent to the foregoing sections.
- 13 2. A violation, discovered at a time when the vehicle is not actually being operated, of
14 section 39-21-03, 39-21-05, 39-21-13, 39-21-19, 39-21-32, 39-21-37, 39-21-39, or
15 39-21-44.2, or a violation of any municipal ordinance equivalent to the foregoing
16 sections.

17 **SECTION 2.** Section 39-10-73 of the North Dakota Century Code is created and
18 enacted as follows:

19 **39-10-73. Location of passengers.**

- 20 1. The operator of a vehicle that is being operated on a highway may not allow an
21 individual under eighteen years of age to ride on any portion of the vehicle not
22 designed for transporting passengers.

- 1 2. This section does not apply to an employee engaged in the necessary discharge of
- 2 that employee's duties, to an individual riding in an official parade, nor to an
- 3 individual being transported in an emergency situation.