

Fifty-seventh  
Legislative Assembly  
of North Dakota

ENGROSSED SENATE BILL NO. 2378

Introduced by

Senators Erbele, O'Connell

Representatives R. Kelsch, Porter

1 A BILL for an Act to create and enact a new paragraph to subdivision a of subsection 3 of  
2 section 39-06.1-10 and section 39-10-73 of the North Dakota Century Code, relating to  
3 passengers in a vehicle; and to amend and reenact section 39-06.1-09 of the North Dakota  
4 Century Code, relating to moving violations.

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

6 **SECTION 1. AMENDMENT.** Section 39-06.1-09 of the North Dakota Century Code is  
7 amended and reenacted as follows:

8 **39-06.1-09. Moving violation defined.** For the purposes of sections 39-06.1-06 and  
9 39-06.1-13, a "moving violation" means a violation of section 39-04-22; subsection 1 of section  
10 39-04-37; section 39-04-55; 39-06-01; 39-06-14; 39-06-16; 39-09-04.1; 39-09-09; 39-12-04;  
11 39-12-05; 39-12-06; 39-12-09; 39-24-02; or 39-24-09, except subdivisions b and c of  
12 subsection 5, or equivalent ordinances; or a violation of the provisions of chapter 39-10,  
13 39-10.2, or 39-21, or equivalent ordinances, except sections 39-10-73, 39-21-44, 39-21-45.1,  
14 39-21-46, and those sections within those chapters which are specifically listed in subsection 1  
15 of section 39-06.1-08.

16 **SECTION 2.** A new paragraph to subdivision a of subsection 3 of section 39-06.1-10 of  
17 the 1999 Supplement to the North Dakota Century Code is created and enacted as follows:

18 Riding in prohibited area of vehicle 1 point  
19 under section 39-10-73

20 **SECTION 3.** Section 39-10-73 of the North Dakota Century Code is created and  
21 enacted as follows:

22 **39-10-73. Location of passengers.**

- 1           1. The operator of a vehicle that is being operated on a highway may not allow an  
2                   individual under eighteen years of age to ride on any portion of the vehicle not  
3                   designed for transporting passengers.
- 4           2. This section does not apply to an employee engaged in the necessary discharge of  
5                   that employee's duties, to an individual riding in an official parade, nor to an  
6                   individual being transported in an emergency situation.