

**FIRST ENGROSSMENT
with Senate Amendments**

Fifty-seventh
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1184

Introduced by

Transportation Committee

(At the request of the Department of Transportation)

1 A BILL for an Act to amend and reenact subsections 2 and 3 of section 39-04-36 of the North
2 Dakota Century Code, relating to license fee credits.

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

4 **SECTION 1. AMENDMENT.** Subsections 2 and 3 of section 39-04-36 of the 1999
5 Supplement to the North Dakota Century Code are amended and reenacted as follows:

6 2. Upon applying for the transfer of the registration and paying a five dollar fee, a
7 person who transfers or assigns to another person the ownership of a registered
8 vehicle may receive credit for the unused portion of the fees paid for the
9 transferred vehicle. The department may establish procedures that permit the
10 transferor to assign the credit to the transferee if the transferor is the spouse, a
11 sibling, or a lineal ancestor or descendant of the transferee. Any remaining credit
12 on a vehicle owned by a leasing company must be credited to the lessee.

13 One-twelfth of the annual fee must be credited for each month of the registration
14 period remaining after the month in which the transfer is made. The credit may not
15 extend beyond the original expiration of the registration. Except as provided in
16 section 39-04-44, the credit must be applied to the registration fees for a
17 replacement vehicle. The transferor shall apply for the transfer of registration
18 within thirty days of the purchase of the replacement vehicle.

19 3. Except as otherwise permitted in this chapter, before the transferee of a registered
20 vehicle may operate the vehicle on a highway, the transferee must apply for and
21 obtain a new registration of the vehicle, as on an original registration. To provide
22 the transferee adequate time to obtain a new registration, the director may provide
23 for the issuance of a temporary registration certificate to permit the transferee to
24 operate the vehicle for thirty days after the date of acquisition. The certificate must

1 be mailed with each renewal of registration notice and must be available to the
2 transferee from licensed vehicle dealers, law enforcement agencies, and motor
3 vehicle branch offices. The vehicle may be operated for five days from date of
4 purchase without a plate or certificate of ownership if dated evidence of ownership
5 is carried in the vehicle. The evidence of ownership must be in a form as
6 prescribed by the department.