

**HOUSE BILL NO. 1054**

Introduced by

Representatives Carlisle, Maragos, Porter, Iverson

Senators Dever, Robinson

1 A BILL for an Act to amend and reenact section 39-06.1-11 of the North Dakota Century Code,  
2 relating to temporary restricted driver's licenses.

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

4 **SECTION 1. AMENDMENT.** Section 39-06.1-11 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **39-06.1-11. Temporary restricted license - Ignition interlock device.**

- 7 1. Except as provided under subsection 2, if the ~~licensing authority~~ director has  
8 suspended a license under section 39-06.1-10; or ~~if the director~~ has extended a  
9 suspension or revocation under section 39-06-43, ~~for more than seven days, the~~  
10 ~~authority may, for good cause,~~ upon receiving written application from the offender  
11 affected, the director may for good cause issue a temporary restricted operator's  
12 license valid for the remainder of the suspension period after seven days of the  
13 suspension period have passed, ~~for the remainder of the suspension period.~~
- 14 2. If the ~~licensing authority~~ director has suspended a license under chapter 39-20, or  
15 after a violation of section 39-08-01 or equivalent ordinance, upon written  
16 application of the offender the authority director may, in accordance with this  
17 section, for good cause, and upon written application of the offender, issue for  
18 good cause a temporary restricted license that takes effect after thirty days of the  
19 suspension have been served after a first offense under section 39-08-01 or  
20 chapter 39-20. The ~~licensing authority~~ director may not issue a temporary  
21 restricted license to any offender whose operator's license has been revoked under  
22 section 39-20-04 or suspended upon a second or subsequent offense under  
23 section 39-08-01 or chapter 39-20, except that a temporary restricted license may  
24 be issued for good cause if ~~no offenses have been~~ the offender has not committed

1            an offense for a period of two years before the date of the filing of a written  
2            application that must be accompanied by a report from an addiction facility or if the  
3            offender is participating in the drug court program and has not committed an  
4            offense for a period of three hundred sixty-five days before the date of the filing of  
5            a written application that must be accompanied by a recommendation from the  
6            district court. The director may conduct a hearing for the purposes of obtaining  
7            information, reports, and evaluations from courts, law enforcement, and citizens to  
8            determine the offender's conduct and driving behavior ~~for~~ during the two-year  
9            prerequisite period of time. The director may also require that an ignition interlock  
10           device be installed in the offender's vehicle.

11           ~~3.~~ 3. The ~~licensing authority~~ director may not issue a temporary restricted license for a  
12           period of license revocation or suspension imposed under subsection 5 of section  
13           39-06-17, section 39-06-31, or subsection 3.1 of section 39-06.1-10. A temporary  
14           restricted license may be issued for suspensions ordered under subsection 7 of  
15           section 39-06-32 if it could have been issued had the suspension resulted from  
16           in-state conduct.

17           ~~3.~~ 4. A restricted license issued under this section ~~may authorize~~ is solely for the use of  
18           a motor vehicle ~~only~~ during the licensee's normal working hours, ~~or~~ and may  
19           contain any other restrictions authorized by section 39-06-17. Violation of a  
20           restriction imposed according to this section is deemed a violation of section  
21           39-06-17.