

FIRST ENGROSSMENT

Fifty-ninth  
Legislative Assembly  
of North Dakota

ENGROSSED SENATE BILL NO. 2255

Introduced by

Senators Trenbeath, Espegard, Tallackson

Representatives Delmore, Hawken, Weisz

1 A BILL for an Act to create and enact a new section to chapter 57-40.3 of the North Dakota  
2 Century Code, relating to a separate and additional motor vehicle excise tax; to amend and  
3 reenact sections 39-04-19, 39-04.2-03, 39-04.2-04, and 57-40.3-10 of the North Dakota  
4 Century Code, relating to registration fees, funding for public transportation, and revenue from  
5 the motor vehicle excise tax; to repeal section 7 of chapter 12 of the 2003 Session Laws,  
6 relating to registration fee allocation; and to provide an effective date.

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

8 **SECTION 1. AMENDMENT.** Section 39-04-19 of the North Dakota Century Code is  
9 amended and reenacted as follows:

10 **39-04-19. Motor vehicle registration fees and mile tax.** Motor vehicles required to  
11 pay registration fees or a mile tax shall pay the following fees:

12 1. Nonresidents electing to pay mile tax in lieu of registration, when authorized to do  
13 so by the department, shall pay a fee of twenty dollars for a trip permit which is  
14 valid for a period of seventy-two hours. All fees collected under the provisions of  
15 this subsection must be credited to the highway construction fund.

16 2. Motor vehicles required to be registered in this state must be furnished license  
17 plates upon the payment of the following annual fees; however, if a motor vehicle,  
18 including a motorcycle or trailer, first becomes subject to registration other than at  
19 the beginning of the registration period, such fees must be prorated on a monthly  
20 basis. The minimum fee charged hereunder must be five dollars:

21 a. Passenger motor vehicles:

	YEARS REGISTERED			
	1st, 2nd,	7th, 8th,	10th, 11th,	13th and
	3rd, 4th, 5th,	and 9th	and 12th	Subsequent
22				
23				
24	Gross			

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1	Weights	and 6th Years	Years	Years	Years
2	Less than 3,200	<del>\$60</del> <u>\$67.50</u>	<del>\$52</del> <u>\$59.50</u>	<del>\$44</del> <u>\$51.50</u>	<del>\$36</del> <u>\$43.50</u>
3	3,200 - 4,499	<del>80</del> <u>87.50</u>	<del>68</del> <u>75.50</u>	<del>56</del> <u>63.50</u>	<del>44</del> <u>51.50</u>
4	4,500 - 4,999	<del>98</del> <u>105.50</u>	<del>84</del> <u>88.50</u>	<del>66</del> <u>73.50</u>	<del>50</del> <u>57.50</u>
5	5,000 - 5,999	<del>129</del> <u>136.50</u>	<del>107</del> <u>114.50</u>	<del>85</del> <u>92.50</u>	<del>63</del> <u>70.50</u>
6	6,000 - 6,999	<del>162</del> <u>169.50</u>	<del>133</del> <u>140.50</u>	<del>104</del> <u>111.50</u>	<del>76</del> <u>83.50</u>
7	7,000 - 7,999	<del>195</del> <u>202.50</u>	<del>159</del> <u>166.50</u>	<del>124</del> <u>131.50</u>	<del>89</del> <u>96.50</u>
8	8,000 - 8,999	<del>228</del> <u>235.50</u>	<del>186</del> <u>193.50</u>	<del>144</del> <u>151.50</u>	<del>102</del> <u>109.50</u>
9	9,000 and over	<del>264</del> <u>268.50</u>	<del>212</del> <u>219.50</u>	<del>164</del> <u>171.50</u>	<del>115</del> <u>122.50</u>

A house car is subject to registration at the rates prescribed for other vehicles under this subdivision modified by using the weight applicable to a vehicle whose weight is forty percent of that of the house car, but not using a weight of less than four thousand pounds [1814.35 kilograms].

- b. Schoolbuses, buses for hire, buses owned and operated by religious, charitable, or nonprofit organizations and used exclusively for religious, charitable, or other public nonprofit purposes, and trucks or combination trucks and trailers, including commercial and noncommercial trucks, except those trucks or combinations of trucks and trailers which qualify for registration under subsection 5:

YEARS REGISTERED

21		1st	7th	10th	13th	20th and
22	Gross	Through	Through	Through	Through	Subsequent
23	Weights	6th Years	9th Years	12th Years	19th Years	Years
24	Not over 4,000	<del>\$58</del> <u>\$65.50</u>	<del>\$45</del> <u>\$52.50</u>	<del>\$40</del> <u>\$47.50</u>	<del>\$37</del> <u>\$44.50</u>	<del>\$36</del> <u>\$43.50</u>
25	4,001 - 6,000	<del>63</del> <u>70.50</u>	<del>50</del> <u>57.50</u>	<del>44</del> <u>51.50</u>	<del>38</del> <u>45.50</u>	<del>37</del> <u>44.50</u>
26	6,001 - 8,000	<del>68</del> <u>75.50</u>	<del>55</del> <u>62.50</u>	<del>48</del> <u>55.50</u>	<del>39</del> <u>46.50</u>	<del>38</del> <u>45.50</u>
27	8,001 - 10,000	<del>73</del> <u>80.50</u>	<del>60</del> <u>67.50</u>	<del>52</del> <u>59.50</u>	<del>41</del> <u>48.50</u>	<del>40</del> <u>47.50</u>
28	10,001 - 12,000	<del>78</del> <u>85.50</u>	<del>65</del> <u>72.50</u>	<del>56</del> <u>63.50</u>	<del>43</del> <u>50.50</u>	<del>42</del> <u>49.50</u>
29	12,001 - 14,000	<del>83</del> <u>90.50</u>	<del>70</del> <u>77.50</u>	<del>60</del> <u>67.50</u>	<del>46</del> <u>53.50</u>	<del>45</del> <u>52.50</u>
30	14,001 - 16,000	<del>88</del> <u>95.50</u>	<del>75</del> <u>82.50</u>	<del>64</del> <u>71.50</u>	<del>49</del> <u>56.50</u>	<del>48</del> <u>55.50</u>

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1	16,001 - 18,000	<del>93</del> <u>100.50</u>	<del>80</del> <u>87.50</u>	<del>68</del> <u>75.50</u>	<del>54</del> <u>58.50</u>	<del>50</del> <u>57.50</u>
2	18,001 - 20,000	<del>96</del> <u>103.50</u>	<del>83</del> <u>90.50</u>	<del>70</del> <u>77.50</u>	<del>52</del> <u>59.50</u>	<del>54</del> <u>58.50</u>

YEARS REGISTERED

		1st, 2nd, 3rd, 4th, 5th, 6th, and 7th Years	8th, 9th, 10th, 11th, and 12th Years	13th and Subsequent Years
3				
4				
5	Gross			
6	Weights			
7	20,001 - 22,000	<del>\$126</del> <u>\$133.50</u>	<del>\$100</del> <u>\$107.50</u>	<del>\$87</del> <u>\$94.50</u>
8	22,001 - 26,000	<del>478</del> <u>185.50</u>	<del>448</del> <u>155.50</u>	<del>432</del> <u>139.50</u>
9	26,001 - 30,000	<del>239</del> <u>246.50</u>	<del>497</del> <u>204.50</u>	<del>475</del> <u>182.50</u>
10	30,001 - 34,000	<del>305</del> <u>312.50</u>	<del>250</del> <u>257.50</u>	<del>222</del> <u>229.50</u>
11	34,001 - 38,000	<del>366</del> <u>373.50</u>	<del>299</del> <u>306.50</u>	<del>265</del> <u>272.50</u>
12	38,001 - 42,000	<del>427</del> <u>434.50</u>	<del>348</del> <u>355.50</u>	<del>307</del> <u>314.50</u>
13	42,001 - 46,000	<del>488</del> <u>495.50</u>	<del>396</del> <u>403.50</u>	<del>350</del> <u>357.50</u>
14	46,001 - 50,000	<del>549</del> <u>556.50</u>	<del>445</del> <u>452.50</u>	<del>393</del> <u>400.50</u>
15	50,001 - 54,000	<del>619</del> <u>626.50</u>	<del>503</del> <u>510.50</u>	<del>444</del> <u>457.50</u>
16	54,001 - 58,000	<del>680</del> <u>687.50</u>	<del>552</del> <u>559.50</u>	<del>487</del> <u>494.50</u>
17	58,001 - 62,000	<del>742</del> <u>749.50</u>	<del>604</del> <u>608.50</u>	<del>530</del> <u>537.50</u>
18	62,001 - 66,000	<del>802</del> <u>809.50</u>	<del>649</del> <u>656.50</u>	<del>573</del> <u>580.50</u>
19	66,001 - 70,000	<del>863</del> <u>870.50</u>	<del>698</del> <u>705.50</u>	<del>615</del> <u>622.50</u>
20	70,001 - 74,000	<del>924</del> <u>931.50</u>	<del>747</del> <u>754.50</u>	<del>658</del> <u>665.60</u>
21	74,001 - 78,000	<del>985</del> <u>992.50</u>	<del>796</del> <u>803.50</u>	<del>704</del> <u>708.50</u>
22	78,001 - 82,000	<del>1,046</del> <u>1,053.50</u>	<del>845</del> <u>852.50</u>	<del>744</del> <u>751.50</u>
23	82,001 - 86,000	<del>1,169</del> <u>1,176.50</u>	<del>950</del> <u>957.50</u>	<del>834</del> <u>838.50</u>
24	86,001 - 90,000	<del>1,294</del> <u>1,298.50</u>	<del>1,054</del> <u>1,061.50</u>	<del>948</del> <u>925.50</u>
25	90,001 - 94,000	<del>1,413</del> <u>1,420.50</u>	<del>1,159</del> <u>1,166.50</u>	<del>1,005</del> <u>1,012.50</u>
26	94,001 - 98,000	<del>1,535</del> <u>1,543.50</u>	<del>1,264</del> <u>1,271.50</u>	<del>1,093</del> <u>1,100.50</u>
27	98,001 - 102,000	<del>1,657</del> <u>1,664.50</u>	<del>1,368</del> <u>1,375.50</u>	<del>1,180</del> <u>1,187.50</u>
28	102,001 - 105,500	<del>1,779</del> <u>1,786.50</u>	<del>1,473</del> <u>1,480.50</u>	<del>1,267</del> <u>1,274.50</u>

29 c. Motorcycles, fifteen dollars.

30 3. Motor vehicles acquired by disabled veterans under the provisions of Public Law  
31 79-663 [38 U.S.C. 3901] are exempt from the payment of state sales or use tax

1 and, if paid, such veterans are entitled to a refund. This exemption also applies to  
2 any passenger motor vehicle or pickup truck not exceeding ten thousand pounds  
3 [4535.92 kilograms] gross weight but shall apply to no more than two such motor  
4 vehicles owned by a disabled veteran at any one time.

5 4. Every trailer, semitrailer, and farm trailer required to be registered under this  
6 chapter must be furnished registration plates upon the payment of a twenty dollar  
7 annual fee. Every trailer, semitrailer, or farm trailer not required to be registered  
8 under this chapter must be furnished an identification plate upon the payment of a  
9 fee of five dollars. Upon the request of a person with a trailer or farm trailer to  
10 whom a registration or identification plate is provided under this subsection, the  
11 department shall provide a plate of the same size as provided for a motorcycle.  
12 The department shall provide notification of this option to the person before the  
13 replacement or issuance of the plate.

14 5. Trucks or combinations of trucks and trailers weighing more than twenty thousand  
15 but not more than one hundred five thousand five hundred pounds [more than  
16 9071.84 but not more than 47854.00 kilograms] which are used as farm vehicles  
17 only, are entitled to registration under the following fee schedule and the provisions  
18 of this subsection. Farm vehicles are considered, for the purpose of this  
19 subsection, as trucks or combinations of trucks and trailers weighing more than  
20 twenty thousand but not more than one hundred five thousand five hundred  
21 pounds [more than 9071.84 but not more than 47854.00 kilograms] owned, or  
22 leased for at least one year by a bona fide resident farmer who uses the vehicles  
23 exclusively for transporting the farmer's own property or other property on a farm  
24 work exchange basis with other farmers between farms and the usual local trading  
25 places but not in connection with any commercial retail or wholesale business  
26 being conducted from those farms, nor otherwise for hire. In addition to the  
27 penalty provided in section 39-04-41, any person violating this subsection shall  
28 license for the entire license period the farm vehicle at the higher commercial  
29 vehicle rate in accordance with the weight carried by the farm vehicle at the time of  
30 the violation.

31 YEARS REGISTERED

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1		1st, 2nd,	7th and	9th and	11th and
2	Gross	3rd, 4th, 5th,	8th	10th	Subsequent
3	Weights	and 6th Years	Years	Years	Years
4	20,001 - 22,000	<del>\$98</del> <u>\$105.50</u>	<del>\$84</del> <u>\$91.50</u>	<del>\$70</del> <u>\$77.50</u>	<del>\$52</del> <u>\$59.50</u>
5	22,001 - 24,000	<del>403</del> <u>110.50</u>	<del>88</del> <u>95.50</u>	<del>73</del> <u>80.50</u>	<del>54</del> <u>61.50</u>
6	24,001 - 26,000	<del>411</del> <u>118.52</u>	<del>94</del> <u>101.50</u>	<del>77</del> <u>84.50</u>	<del>56</del> <u>63.50</u>
7	26,001 - 28,000	<del>422</del> <u>129.50</u>	<del>102</del> <u>109.50</u>	<del>83</del> <u>90.50</u>	<del>60</del> <u>67.50</u>
8	28,001 - 30,000	<del>434</del> <u>138.50</u>	<del>110</del> <u>117.50</u>	<del>89</del> <u>96.50</u>	<del>64</del> <u>71.50</u>
9	30,001 - 32,000	<del>446</del> <u>153.50</u>	<del>123</del> <u>130.50</u>	<del>100</del> <u>107.50</u>	<del>73</del> <u>80.50</u>
10	32,001 - 34,000	<del>456</del> <u>163.50</u>	<del>134</del> <u>138.50</u>	<del>106</del> <u>113.50</u>	<del>77</del> <u>84.50</u>
11	34,001 - 36,000	<del>466</del> <u>173.50</u>	<del>139</del> <u>146.50</u>	<del>112</del> <u>119.50</u>	<del>81</del> <u>88.50</u>
12	36,001 - 38,000	<del>476</del> <u>183.50</u>	<del>147</del> <u>154.50</u>	<del>118</del> <u>125.50</u>	<del>85</del> <u>92.50</u>
13	38,001 - 40,000	<del>486</del> <u>193.50</u>	<del>155</del> <u>163.50</u>	<del>124</del> <u>131.50</u>	<del>89</del> <u>96.50</u>
14	40,001 - 42,000	<del>496</del> <u>203.50</u>	<del>163</del> <u>170.50</u>	<del>130</del> <u>137.50</u>	<del>93</del> <u>100.50</u>
15	42,001 - 44,000	<del>206</del> <u>213.50</u>	<del>174</del> <u>178.50</u>	<del>136</del> <u>143.50</u>	<del>97</del> <u>104.50</u>
16	44,001 - 46,000	<del>216</del> <u>223.50</u>	<del>179</del> <u>186.50</u>	<del>142</del> <u>149.50</u>	<del>101</del> <u>108.50</u>
17	46,001 - 48,000	<del>226</del> <u>233.50</u>	<del>187</del> <u>194.50</u>	<del>148</del> <u>155.50</u>	<del>105</del> <u>112.50</u>
18	48,001 - 50,000	<del>236</del> <u>243.50</u>	<del>195</del> <u>202.50</u>	<del>154</del> <u>161.50</u>	<del>109</del> <u>116.50</u>
19	50,001 - 52,000	<del>256</del> <u>263.50</u>	<del>213</del> <u>220.50</u>	<del>170</del> <u>177.50</u>	<del>123</del> <u>130.50</u>
20	52,001 - 54,000	<del>266</del> <u>273.50</u>	<del>221</del> <u>228.50</u>	<del>176</del> <u>183.50</u>	<del>127</del> <u>134.50</u>
21	54,001 - 56,000	<del>276</del> <u>283.50</u>	<del>229</del> <u>236.50</u>	<del>182</del> <u>189.50</u>	<del>131</del> <u>138.50</u>
22	56,001 - 58,000	<del>286</del> <u>293.50</u>	<del>237</del> <u>244.50</u>	<del>188</del> <u>195.50</u>	<del>135</del> <u>142.50</u>
23	58,001 - 60,000	<del>296</del> <u>303.50</u>	<del>245</del> <u>252.50</u>	<del>194</del> <u>201.50</u>	<del>139</del> <u>146.50</u>
24	60,001 - 62,000	<del>306</del> <u>313.50</u>	<del>253</del> <u>260.50</u>	<del>200</del> <u>207.50</u>	<del>143</del> <u>150.50</u>
25	62,001 - 64,000	<del>316</del> <u>323.50</u>	<del>261</del> <u>268.50</u>	<del>206</del> <u>213.50</u>	<del>147</del> <u>154.50</u>
26	64,001 - 66,000	<del>326</del> <u>333.50</u>	<del>269</del> <u>276.50</u>	<del>212</del> <u>219.50</u>	<del>151</del> <u>158.50</u>
27	66,001 - 68,000	<del>336</del> <u>343.50</u>	<del>277</del> <u>284.50</u>	<del>218</del> <u>225.50</u>	<del>155</del> <u>162.50</u>
28	68,001 - 70,000	<del>346</del> <u>353.50</u>	<del>285</del> <u>292.50</u>	<del>224</del> <u>231.50</u>	<del>159</del> <u>166.50</u>
29	70,001 - 72,000	<del>356</del> <u>363.50</u>	<del>293</del> <u>300.50</u>	<del>230</del> <u>237.50</u>	<del>163</del> <u>170.50</u>
30	72,001 - 74,000	<del>366</del> <u>373.50</u>	<del>301</del> <u>308.50</u>	<del>236</del> <u>243.50</u>	<del>167</del> <u>174.50</u>
31	74,001 - 76,000	<del>376</del> <u>383.50</u>	<del>309</del> <u>316.50</u>	<del>242</del> <u>249.50</u>	<del>171</del> <u>178.50</u>

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1	76,001 - 78,000	<del>386</del> <u>393.50</u>	<del>317</del> <u>324.50</u>	<del>248</del> <u>255.50</u>	<del>475</del> <u>182.50</u>
2	78,001 - 80,000	<del>396</del> <u>403.50</u>	<del>325</del> <u>332.50</u>	<del>254</del> <u>261.50</u>	<del>479</del> <u>186.50</u>
3	80,001 - 82,000	<del>406</del> <u>413.50</u>	<del>333</del> <u>340.50</u>	<del>260</del> <u>267.50</u>	<del>483</del> <u>190.50</u>
4	82,001 - 84,000	<del>416</del> <u>423.50</u>	<del>355</del> <u>362.50</u>	<del>303</del> <u>310.50</u>	<del>259</del> <u>266.50</u>
5	84,001 - 86,000	<del>436</del> <u>443.50</u>	<del>372</del> <u>379.50</u>	<del>317</del> <u>324.50</u>	<del>271</del> <u>278.50</u>
6	86,001 - 88,000	<del>456</del> <u>463.50</u>	<del>389</del> <u>396.50</u>	<del>331</del> <u>338.50</u>	<del>283</del> <u>290.50</u>
7	88,001 - 90,000	<del>476</del> <u>483.50</u>	<del>406</del> <u>413.50</u>	<del>345</del> <u>352.50</u>	<del>295</del> <u>302.50</u>
8	90,001 - 92,000	<del>496</del> <u>503.50</u>	<del>423</del> <u>430.50</u>	<del>359</del> <u>366.50</u>	<del>307</del> <u>314.50</u>
9	92,001 - 94,000	<del>516</del> <u>523.50</u>	<del>440</del> <u>447.50</u>	<del>373</del> <u>380.50</u>	<del>319</del> <u>326.50</u>
10	94,001 - 96,000	<del>536</del> <u>543.50</u>	<del>457</del> <u>464.50</u>	<del>387</del> <u>394.50</u>	<del>331</del> <u>338.50</u>
11	96,001 - 98,000	<del>556</del> <u>563.50</u>	<del>474</del> <u>481.50</u>	<del>401</del> <u>408.50</u>	<del>343</del> <u>350.50</u>
12	98,001 - 100,000	<del>576</del> <u>583.50</u>	<del>491</del> <u>498.50</u>	<del>415</del> <u>422.50</u>	<del>355</del> <u>362.50</u>
13	100,001 - 102,000	<del>596</del> <u>603.50</u>	<del>508</del> <u>515.50</u>	<del>429</del> <u>436.50</u>	<del>367</del> <u>374.50</u>
14	102,001 - 104,000	<del>616</del> <u>623.50</u>	<del>525</del> <u>532.50</u>	<del>443</del> <u>450.50</u>	<del>379</del> <u>386.50</u>
15	104,001 - 105,500	<del>636</del> <u>643.50</u>	<del>542</del> <u>549.50</u>	<del>457</del> <u>464.50</u>	<del>391</del> <u>398.50</u>

16           6.    A motor vehicle registered in subsection 5 may be used for custom combining  
17                   operations by displaying identification issued by the department and upon payment  
18                   of a fee of twenty-five dollars.

19           **SECTION 2. AMENDMENT.** Section 39-04.2-03 of the North Dakota Century Code is  
20 amended and reenacted as follows:

21           **39-04.2-03. Additional registration fee - Deposit in fund.** At the time of registering a  
22 motor vehicle subject to registration under section 39-04-19, the owner shall pay to the director  
23 in addition to the registration fee a fee of ~~two~~ three dollars for each motor vehicle registered.  
24 The fee must be deposited with the state treasurer, who shall credit the fee to the public  
25 transportation fund.

26           **SECTION 3. AMENDMENT.** Section 39-04.2-04 of the North Dakota Century Code is  
27 amended and reenacted as follows:

28           **39-04.2-04. Distribution of funds.**

29           1.    Moneys appropriated by the legislative assembly to the public transportation fund  
30                   must be disbursed under guidelines issued by the director. The funds must be  
31                   used by transportation providers to establish and maintain public transportation,

1 especially for the elderly and handicapped, and may be used to contract to provide  
2 public transportation, as matching funds to procure money from other sources for  
3 public transportation and for other expenditures authorized by the director.

4 2. Following authorization of the director, the state treasurer shall pay the public  
5 transportation funds to transportation providers in each county. Each county shall  
6 receive ~~twelve~~ eighteen thousand ~~two~~ three hundred dollars plus one dollar and  
7 fifty cents per capita of population in the county, based upon the latest regular or  
8 special official federal census. Each year the director shall increase or decrease  
9 the one dollar and fifty cents per capita amount in order to distribute all funds  
10 appropriated for the biennium. If there are multiple transportation providers in one  
11 county, then the base amount of ~~twelve~~ eighteen thousand ~~two~~ three hundred  
12 dollars must be divided equally among the providers and the additional per capita  
13 amount must be based upon the percentage of elderly and handicapped ridership  
14 provided by each transportation provider within the county.

15 3. Unless otherwise provided by law, any moneys remaining in the fund at the end of  
16 each biennium must be retained in the public transportation fund for redistribution.

17 **SECTION 4.** A new section to chapter 57-40.3 of the North Dakota Century Code is  
18 created and enacted as follows:

19 **Separate and additional motor vehicle excise tax - Transfer of revenue.** In addition  
20 to the tax otherwise imposed under section 57-40.3-02, there is imposed an excise tax at the  
21 rate of one-half of one percent on the purchase price of any motor vehicle purchased or  
22 acquired in or outside this state for use on the streets and highways of this state and required  
23 to be registered under the laws of this state. The entire revenue from tax imposed under this  
24 section must be transmitted monthly by the director of the department of transportation to the  
25 state treasurer and deposited in the state highway fund.

26 **SECTION 5. AMENDMENT.** Section 57-40.3-10 of the North Dakota Century Code is  
27 amended and reenacted as follows:

28 **57-40.3-10. Transfer of revenue.** All Except as otherwise provided in section 1 of this  
29 Act, all moneys collected and received under this chapter must be transmitted monthly by the  
30 director of the department of transportation to the state treasurer to be transferred and credited  
31 to the general fund.

- 1           **SECTION 6. REPEAL.** Section 7 of chapter 12 of the 2003 Session Laws is repealed.
- 2           **SECTION 7. EFFECTIVE DATE.** This Act is effective for taxable events occurring after
- 3 June 30, 2005.