

HOUSE BILL NO. 1097

Introduced by

Transportation Committee

(At the request of the Department of Transportation)

1 A BILL for an Act to amend and reenact section 39-06-27 of the North Dakota Century Code,
2 relating to assessing points for noncriminal traffic violations committed in another jurisdiction.

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

4 **SECTION 1. AMENDMENT.** Section 39-06-27 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **39-06-27. Suspending licenses upon conviction, suspension, or revocation in**
7 **another jurisdiction.** The director may suspend or revoke the license of any resident of this
8 state or the privilege of a nonresident to drive a motor vehicle in this state upon receiving notice
9 of the conviction of that person in a tribal court or in another state of an offense therein which, if
10 committed in this state, would be grounds for the suspension or revocation of the license of an
11 operator. The director may act on a report of a conviction in tribal court received from any tribal
12 law enforcement agency. This section may not be construed as authorizing the assessment of
13 points against a resident driver's record in accordance with chapter 39-06.1, except upon
14 conviction of a resident driver for a criminal offense in a tribal court or in another state which is
15 equivalent to one of those offenses defined in section 39-06.1-05 or it is the third or subsequent
16 noncriminal disposition received within the last twelve months. A suspension or revocation may
17 not be imposed for convictions for driving under suspension or revocation on an Indian
18 reservation or in another state if a valid North Dakota license or permit was in effect at the time
19 of the violation. For purposes of this section, originals, photostatic copies, or electronic
20 transmissions of the records of the driver's licensing or other authority of the other jurisdiction
21 are sufficient evidence whether or not they are certified copies.

22 Upon receipt of a certification that the operating privileges of a resident of this state
23 have been suspended or revoked on an Indian reservation or in any other state pursuant to a
24 law providing for the suspension or revocation for failure to deposit security for the payment of

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1 judgments arising out of a motor vehicle accident, under circumstances that would require the
2 director to suspend a nonresident's operating privileges had the accident occurred in this state,
3 the director shall suspend the license of the resident if the resident was the driver of a motor
4 vehicle involved in the accident. The suspension continues until the resident furnishes
5 evidence satisfactory to the director of the person's compliance with the laws of the Indian
6 reservation or the other state relating to the deposit of security or payment of a judgment arising
7 out of a motor vehicle accident, to the extent that compliance would be required if the accident
8 had occurred in this state.