

**Sixty-seventh Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 5, 2021**

SENATE BILL NO. 2113
(Transportation Committee)
(At the request of the Department of Transportation)

AN ACT to create and enact a new subsection to section 39-06.2-10.6 and new subsection to section 39-20-05 of the North Dakota Century Code, relating to conducting department of transportation administrative hearings by electronic means; and to amend and reenact subsection 2 of section 39-06-33 of the North Dakota Century Code, relating to conducting department of transportation administrative hearings by electronic means.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subsection 2 of section 39-06-33 of the North Dakota Century Code is amended and reenacted as follows:

2. Any hearing conducted under this section and any appeal from the decision of the hearing must be conducted under chapter 28-32, except the hearing must be heard within sixty days of the receipt of the request for hearing and in the county of the licensee's residence, unless the parties agree to a different time and place for the hearing. A hearing under this section may be conducted by telephone, television, virtual online interface, or other electronic means with the consent of the licensee. At the hearing, the regularly kept records of the director may be introduced and are prima facie evidence of their content without further foundation.

SECTION 2. A new subsection to section 39-06.2-10.6 of the North Dakota Century Code is created and enacted as follows:

A hearing under this section may be conducted in whole or in part by telephone, television, virtual online interface, or other electronic means with the consent of the licensee. A hearing officer may provide a notice, decision, or order under this section by mail or other means as authorized by the director.

SECTION 3. A new subsection to section 39-20-05 of the North Dakota Century Code is created and enacted as follows:

A hearing under this section may be conducted in whole or in part by telephone, television, virtual online interface, or other electronic means with the consent of the licensee. A hearing officer may provide a notice, decision, or order under this section by mail or other means as authorized by the director.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-seventh Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2113.

Senate Vote: Yeas 47 Nays 0 Absent 0

House Vote: Yeas 92 Nays 2 Absent 0

Secretary of the Senate

Received by the Governor at _____ M. on _____, 2021.

Approved at _____ M. on _____, 2021.

Governor

Filed in this office this _____ day of _____, 2021,

at _____ o'clock _____ M.

Secretary of State