

**FIRST ENGROSSMENT
with Senate Amendments**

Fifty-eighth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1012

Introduced by

Appropriations Committee

(At the request of the Governor)

1 A BILL for an Act to provide an appropriation for defraying the expenses of the various divisions
2 under the supervision of the director of the department of transportation; to authorize the
3 department of transportation to acquire lands; to amend and reenact sections 24-01-51,
4 24-02-44, and 39-04-19 of the North Dakota Century Code and section 7 of chapter 331 of the
5 2001 Session Laws, relating to haying of no-mow areas, department of transportation authority
6 for emergency borrowing from the Bank of North Dakota, and motor vehicle registration fees;
7 and to repeal section 10 of chapter 331 of the 2001 Session Laws, relating to registration fee
8 allocation.

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

10 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the
11 funds as may be necessary, are appropriated from special funds derived from federal funds
12 and other income, to the various divisions under the supervision of the director of the
13 department of transportation for the purpose of defraying the expenses of those divisions, for
14 the biennium beginning July 1, 2003, and ending June 30, 2005, as follows:

15 Salaries and wages	\$105,222,404
16 Operating expenses	122,650,587
17 Capital assets	512,175,642
18 Grants	<u>44,085,503</u>
19 Total special funds appropriation	\$784,134,136

20 **SECTION 2. ACQUIRING LAND IN NO-MOW AND MANAGED-MOW AREAS.** The
21 department of transportation may acquire land to eliminate no-mow and managed-mow areas
22 adjacent to the state's roadways. If the department intends to acquire public land to eliminate
23 no-mow and managed-mow areas, the department shall hold a public hearing in the county in
24 which the land is located before the land is acquired.

1 **SECTION 3. AMENDMENT.** Section 24-01-51 of the North Dakota Century Code is
2 amended and reenacted as follows:

3 **24-01-51. (Effective January 1, 2004 2006) Haying of no-mow areas.**

4 Notwithstanding any other provision of law, a person owning land adjacent to an area within the
5 right of way of a highway which is designated as a no-mow or managed-mow area may hay the
6 no-mow or managed-mow area after July fifteenth without any payment or penalty.

7 **SECTION 4. AMENDMENT.** Section 24-02-44 of the North Dakota Century Code is
8 amended and reenacted as follows:

9 **24-02-44. Authority to borrow funds for a disaster - Appropriation.** The
10 department of transportation, subject to the approval of the emergency commission, may
11 borrow moneys from the Bank of North Dakota to match federal emergency relief funds ~~under~~
12 ~~the Transportation Equity Act for the 21st Century [Pub. L. 105-178].~~ Any moneys borrowed
13 from the Bank of North Dakota pursuant to this section are appropriated. If it appears to the
14 department of transportation that at the end of the biennium the amount available to repay the
15 amount borrowed plus interest is insufficient to totally repay the Bank of North Dakota, the
16 department of transportation shall request from the legislative assembly a deficiency
17 appropriation from the state highway fund sufficient for the repayment of the amount borrowed
18 plus interest.

19 **SECTION 5. AMENDMENT.** Section 39-04-19 of the North Dakota Century Code is
20 amended and reenacted as follows:

21 **39-04-19. Motor vehicle registration fees and mile tax.** Motor vehicles required to
22 pay registration fees or a mile tax shall pay the following fees:

- 23 1. Nonresidents electing to pay mile tax in lieu of registration, when authorized to do
24 so by the department, shall pay a fee of twenty dollars for a trip permit which is
25 valid for a period of seventy-two hours. All fees collected under the provisions of
26 this subsection must be credited to the highway construction fund.
- 27 2. Motor vehicles required to be registered in this state must be furnished license
28 plates upon the payment of the following annual fees; however, if a motor vehicle,
29 including a motorcycle or trailer, first becomes subject to registration other than at
30 the beginning of the registration period, such fees must be prorated on a monthly
31 basis. The minimum fee charged hereunder must be five dollars:

Fifty-eighth
Legislative Assembly

1 a. Passenger motor vehicles:

		YEARS REGISTERED									
		1st, 2nd,		7th, 8th,		10th, 11th,		13th and			
Gross		3rd, 4th, 5th,		and 9th		and 12th		Subsequent			
Weights		and 6th Years		Years		Years		Years			
6	Less than 3,200	\$57.00	<u>\$60</u>	\$49.00	<u>\$52</u>	\$41.00	<u>\$44</u>	\$33.00	<u>\$36</u>		
7	3,200 - 4,499	77.00	<u>80</u>	65.00	<u>68</u>	53.00	<u>56</u>	41.00	<u>44</u>		
8	4,500 - 4,999	95.00	<u>98</u>	78.00	<u>81</u>	63.00	<u>66</u>	47.00	<u>50</u>		
9	5,000 - 5,999	126.00	<u>129</u>	104.00	<u>107</u>	82.00	<u>85</u>	60.00	<u>63</u>		
10	6,000 - 6,999	159.00	<u>162</u>	130.00	<u>133</u>	101.00	<u>104</u>	73.00	<u>76</u>		
11	7,000 - 7,999	192.00	<u>195</u>	156.00	<u>159</u>	121.00	<u>124</u>	86.00	<u>89</u>		
12	8,000 - 8,999	225.00	<u>228</u>	183.00	<u>186</u>	141.00	<u>144</u>	99.00	<u>102</u>		
13	9,000 and over	258.00	<u>261</u>	209.00	<u>212</u>	161.00	<u>164</u>	112.00	<u>115</u>		

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

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

		YEARS REGISTERED									
		1st		7th		10th		13th		20th and	
Gross		Through		Through		Through		Through		Subsequent	
Weights		6th Years		9th Years		12th Years		19th Years		Years	
28	Not over 4,000	\$55.00	<u>\$58</u>	\$42.00	<u>\$45</u>	\$37.00	<u>\$40</u>	\$34.00	<u>\$37</u>	\$33.00	<u>\$36</u>
29	4,001 - 6,000	60.00	<u>63</u>	47.00	<u>50</u>	41.00	<u>44</u>	35.00	<u>38</u>	34.00	<u>37</u>
30	6,001 - 8,000	65.00	<u>68</u>	52.00	<u>55</u>	45.00	<u>48</u>	36.00	<u>39</u>	35.00	<u>38</u>
31	8,001 - 10,000	70.00	<u>73</u>	57.00	<u>60</u>	49.00	<u>52</u>	38.00	<u>41</u>	37.00	<u>40</u>

Fifty-eighth
Legislative Assembly

1	10,001 - 12,000	75.00 <u>78</u>	62.00 <u>65</u>	53.00 <u>56</u>	40.00 <u>43</u>	39.00 <u>42</u>
2	12,001 - 14,000	80.00 <u>83</u>	67.00 <u>70</u>	57.00 <u>60</u>	43.00 <u>46</u>	42.00 <u>45</u>
3	14,001 - 16,000	85.00 <u>88</u>	72.00 <u>75</u>	61.00 <u>64</u>	46.00 <u>49</u>	45.00 <u>48</u>
4	16,001 - 18,000	90.00 <u>93</u>	77.00 <u>80</u>	65.00 <u>68</u>	48.00 <u>51</u>	47.00 <u>50</u>
5	18,001 - 20,000	93.00 <u>96</u>	80.00 <u>83</u>	67.00 <u>70</u>	49.00 <u>52</u>	48.00 <u>51</u>

YEARS REGISTERED

7		1st, 2nd, 3rd,	8th, 9th, 10th,	13th and
8	Gross	4th, 5th, 6th,	11th, and	Subsequent
9	Weights	and 7th Years	12th Years	Years
10	20,001 - 22,000	\$123.00 <u>\$126</u>	\$97.00 <u>\$100</u>	\$84.00 <u>\$87</u>
11	22,001 - 26,000	175.00 <u>178</u>	145.00 <u>148</u>	129.00 <u>132</u>
12	26,001 - 30,000	236.00 <u>239</u>	194.00 <u>197</u>	172.00 <u>175</u>
13	30,001 - 34,000	302.00 <u>305</u>	247.00 <u>250</u>	219.00 <u>222</u>
14	34,001 - 38,000	363.00 <u>366</u>	296.00 <u>299</u>	262.00 <u>265</u>
15	38,001 - 42,000	424.00 <u>427</u>	345.00 <u>348</u>	304.00 <u>307</u>
16	42,001 - 46,000	485.00 <u>488</u>	393.00 <u>396</u>	347.00 <u>350</u>
17	46,001 - 50,000	546.00 <u>549</u>	442.00 <u>445</u>	390.00 <u>393</u>
18	50,001 - 54,000	616.00 <u>619</u>	500.00 <u>503</u>	441.00 <u>444</u>
19	54,001 - 58,000	677.00 <u>680</u>	549.00 <u>552</u>	484.00 <u>487</u>
20	58,001 - 62,000	739.00 <u>742</u>	598.00 <u>601</u>	527.00 <u>530</u>
21	62,001 - 66,000	799.00 <u>802</u>	646.00 <u>649</u>	570.00 <u>573</u>
22	66,001 - 70,000	860.00 <u>863</u>	695.00 <u>698</u>	612.00 <u>615</u>
23	70,001 - 74,000	921.00 <u>924</u>	744.00 <u>747</u>	655.00 <u>658</u>
24	74,001 - 78,000	982.00 <u>985</u>	793.00 <u>796</u>	698.00 <u>701</u>
25	78,001 - 82,000	1,043.00 <u>1,046</u>	842.00 <u>845</u>	741.00 <u>744</u>
26	82,001 - 86,000	1,166.00 <u>1,169</u>	947.00 <u>950</u>	828.00 <u>831</u>
27	86,001 - 90,000	1,288.00 <u>1,291</u>	1,051.00 <u>1,054</u>	915.00 <u>918</u>
28	90,001 - 94,000	1,410.00 <u>1,413</u>	1,156.00 <u>1,159</u>	1,002.00 <u>1,005</u>
29	94,001 - 98,000	1,532.00 <u>1,535</u>	1,261.00 <u>1,264</u>	1,090.00 <u>1,093</u>
30	98,001 - 102,000	1,654.00 <u>1,657</u>	1,365.00 <u>1,368</u>	1,177.00 <u>1,180</u>
31	102,001 - 105,500	1,776.00 <u>1,779</u>	1,470.00 <u>1,473</u>	1,264.00 <u>1,267</u>

- 1 c. Motorcycles, fifteen dollars.
- 2 3. Motor vehicles acquired by disabled veterans under the provisions of Public Law
3 79-663 [38 U.S.C. 3901] are exempt from the payment of state sales or use tax
4 and, if paid, such veterans are entitled to a refund. This exemption also applies to
5 any passenger motor vehicle or pickup truck not exceeding ten thousand pounds
6 [4535.92 kilograms] gross weight but shall apply to no more than two such motor
7 vehicles owned by a disabled veteran at any one time.
- 8 4. Every trailer, semitrailer, and farm trailer required to be registered under this
9 chapter must be furnished registration plates upon the payment of a twenty dollar
10 annual fee. Every trailer, semitrailer, or farm trailer not required to be registered
11 under this chapter must be furnished an identification plate upon the payment of a
12 fee of five dollars. Upon the request of a person with a trailer or farm trailer to
13 whom a registration or identification plate is provided under this subsection, the
14 department shall provide a plate of the same size as provided for a motorcycle.
15 The department shall provide notification of this option to the person before the
16 replacement or issuance of the plate.
- 17 5. Trucks or combinations of trucks and trailers weighing more than twenty thousand
18 but not more than one hundred five thousand five hundred pounds [more than
19 9071.84 but not more than 47854.00 kilograms] which are used as farm vehicles
20 only, are entitled to registration under the following fee schedule and the provisions
21 of this subsection. Farm vehicles are considered, for the purpose of this
22 subsection, as trucks or combinations of trucks and trailers weighing more than
23 twenty thousand but not more than one hundred five thousand five hundred
24 pounds [more than 9071.84 but not more than 47854.00 kilograms] owned, or
25 leased for at least one year by a bona fide resident farmer who uses the vehicles
26 exclusively for transporting the farmer's own property or other property on a farm
27 work exchange basis with other farmers between farms and the usual local trading
28 places but not in connection with any commercial retail or wholesale business
29 being conducted from those farms, nor otherwise for hire. In addition to the
30 penalty provided in section 39-04-41, any person violating this subsection shall
31 license for the entire license period the farm vehicle at the higher commercial

Fifty-eighth
Legislative Assembly

1 vehicle rate in accordance with the weight carried by the farm vehicle at the time of
2 the violation.

3 YEARS REGISTERED

4		1st, 2nd,	7th and	9th and	11th and
5	Gross	3rd, 4th, 5th,	8th	10th	Subsequent
6	Weights	and 6th Years	Years	Years	Years
7	20,001 - 22,000	\$95.00 <u>\$98</u>	\$81.00 <u>\$84</u>	\$67.00 <u>\$70</u>	\$49.00 <u>\$52</u>
8	22,001 - 24,000	100.00 <u>103</u>	85.00 <u>88</u>	70.00 <u>73</u>	51.00 <u>54</u>
9	24,001 - 26,000	108.00 <u>111</u>	91.00 <u>94</u>	74.00 <u>77</u>	53.00 <u>56</u>
10	26,001 - 28,000	119.00 <u>122</u>	99.00 <u>102</u>	80.00 <u>83</u>	57.00 <u>60</u>
11	28,001 - 30,000	128.00 <u>131</u>	107.00 <u>110</u>	86.00 <u>89</u>	61.00 <u>64</u>
12	30,001 - 32,000	143.00 <u>146</u>	120.00 <u>123</u>	97.00 <u>100</u>	70.00 <u>73</u>
13	32,001 - 34,000	153.00 <u>156</u>	128.00 <u>131</u>	103.00 <u>106</u>	74.00 <u>77</u>
14	34,001 - 36,000	163.00 <u>166</u>	136.00 <u>139</u>	109.00 <u>112</u>	78.00 <u>81</u>
15	36,001 - 38,000	173.00 <u>176</u>	144.00 <u>147</u>	115.00 <u>118</u>	82.00 <u>85</u>
16	38,001 - 40,000	183.00 <u>186</u>	152.00 <u>155</u>	121.00 <u>124</u>	86.00 <u>89</u>
17	40,001 - 42,000	193.00 <u>196</u>	160.00 <u>163</u>	127.00 <u>130</u>	90.00 <u>93</u>
18	42,001 - 44,000	203.00 <u>206</u>	168.00 <u>171</u>	133.00 <u>136</u>	94.00 <u>97</u>
19	44,001 - 46,000	213.00 <u>216</u>	176.00 <u>179</u>	139.00 <u>142</u>	98.00 <u>101</u>
20	46,001 - 48,000	223.00 <u>226</u>	184.00 <u>187</u>	145.00 <u>148</u>	102.00 <u>105</u>
21	48,001 - 50,000	233.00 <u>236</u>	192.00 <u>195</u>	151.00 <u>154</u>	106.00 <u>109</u>
22	50,001 - 52,000	253.00 <u>256</u>	210.00 <u>213</u>	167.00 <u>170</u>	120.00 <u>123</u>
23	52,001 - 54,000	263.00 <u>266</u>	218.00 <u>221</u>	173.00 <u>176</u>	124.00 <u>127</u>
24	54,001 - 56,000	273.00 <u>276</u>	226.00 <u>229</u>	179.00 <u>182</u>	128.00 <u>131</u>
25	56,001 - 58,000	283.00 <u>286</u>	234.00 <u>237</u>	185.00 <u>188</u>	132.00 <u>135</u>
26	58,001 - 60,000	293.00 <u>296</u>	242.00 <u>245</u>	191.00 <u>194</u>	136.00 <u>139</u>
27	60,001 - 62,000	303.00 <u>306</u>	250.00 <u>253</u>	197.00 <u>200</u>	140.00 <u>143</u>
28	62,001 - 64,000	313.00 <u>316</u>	258.00 <u>261</u>	203.00 <u>206</u>	144.00 <u>147</u>
29	64,001 - 66,000	323.00 <u>326</u>	266.00 <u>269</u>	209.00 <u>212</u>	148.00 <u>151</u>
30	66,001 - 68,000	333.00 <u>336</u>	274.00 <u>277</u>	215.00 <u>218</u>	152.00 <u>155</u>
31	68,001 - 70,000	343.00 <u>346</u>	282.00 <u>285</u>	221.00 <u>224</u>	156.00 <u>159</u>

Fifty-eighth
Legislative Assembly

1	70,001 - 72,000	353.00 <u>356</u>	290.00 <u>293</u>	227.00 <u>230</u>	460.00 <u>163</u>
2	72,001 - 74,000	363.00 <u>366</u>	298.00 <u>301</u>	233.00 <u>236</u>	464.00 <u>167</u>
3	74,001 - 76,000	373.00 <u>376</u>	306.00 <u>309</u>	239.00 <u>242</u>	468.00 <u>171</u>
4	76,001 - 78,000	383.00 <u>386</u>	314.00 <u>317</u>	245.00 <u>248</u>	472.00 <u>175</u>
5	78,001 - 80,000	393.00 <u>396</u>	322.00 <u>325</u>	251.00 <u>254</u>	476.00 <u>179</u>
6	80,001 - 82,000	403.00 <u>406</u>	330.00 <u>333</u>	257.00 <u>260</u>	480.00 <u>183</u>
7	82,001 - 84,000	413.00 <u>416</u>	352.00 <u>355</u>	300.00 <u>303</u>	256.00 <u>259</u>
8	84,001 - 86,000	433.00 <u>436</u>	369.00 <u>372</u>	314.00 <u>317</u>	268.00 <u>271</u>
9	86,001 - 88,000	453.00 <u>456</u>	386.00 <u>389</u>	328.00 <u>331</u>	280.00 <u>283</u>
10	88,001 - 90,000	473.00 <u>476</u>	403.00 <u>406</u>	342.00 <u>345</u>	292.00 <u>295</u>
11	90,001 - 92,000	493.00 <u>496</u>	420.00 <u>423</u>	356.00 <u>359</u>	304.00 <u>307</u>
12	92,001 - 94,000	513.00 <u>516</u>	437.00 <u>440</u>	370.00 <u>373</u>	316.00 <u>319</u>
13	94,001 - 96,000	533.00 <u>536</u>	454.00 <u>457</u>	384.00 <u>387</u>	328.00 <u>331</u>
14	96,001 - 98,000	553.00 <u>556</u>	471.00 <u>474</u>	398.00 <u>401</u>	340.00 <u>343</u>
15	98,001 - 100,000	573.00 <u>576</u>	488.00 <u>491</u>	412.00 <u>415</u>	352.00 <u>355</u>
16	100,001 - 102,000	593.00 <u>596</u>	505.00 <u>508</u>	426.00 <u>429</u>	364.00 <u>367</u>
17	102,001 - 104,000	613.00 <u>616</u>	522.00 <u>525</u>	440.00 <u>443</u>	376.00 <u>379</u>
18	104,001 - 105,500	633.00 <u>636</u>	539.00 <u>542</u>	454.00 <u>457</u>	388.00 <u>391</u>

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

22 **SECTION 6. AMENDMENT.** Section 7 of chapter 331 of the 2001 Session Laws is
23 amended and reenacted as follows:

24 **SECTION 7. ~~TEMPORARY~~ ALLOCATION.** ~~Two~~ Four dollars of each registration fee
25 collected under subsection 2 or 5 of section 39-04-19 must be deposited in the state highway
26 fund.

27 **SECTION 7. REPEAL.** Section 10 of chapter 331 of the 2001 Session Laws is
28 repealed.