

Sixty-fourth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1242

Introduced by

Representatives Kretschmar, Delmore, Klemin, Maragos, Owens, Ruby

Senators Burckhard, J. Lee, Rust, Sinner

1 A BILL for an Act to amend and reenact section 39-06.1-06 of the North Dakota Century Code,
2 relating to fees for speeding.

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

4 **SECTION 1. AMENDMENT.** Section 39-06.1-06 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **39-06.1-06. Amount of statutory fees.**

7 The fees required for a noncriminal disposition under section 39-06.1-02 or 39-06.1-03 must
8 be as follows:

- 9 1. For a nonmoving violation as defined in section 39-06.1-08, a fee of twenty dollars
10 except for a violation of any traffic parking regulation on any state charitable or penal
11 institution property or on the state capitol grounds, a fee in the amount of five dollars,
12 excluding a violation of subsection 10 of section 39-01-15.
- 13 2. For a moving violation as defined in section 39-06.1-09, a fee of twenty dollars, except
14 for:
 - 15 a. A violation of section 39-10-26, 39-10-26.2, 39-10-41, or 39-10-42, a fee of fifty
16 dollars.
 - 17 b. A violation of section 39-10-05 involving failure to yield to a pedestrian or
18 subsection 1 of section 39-10-28, a fee of fifty dollars.
 - 19 c. A violation of section 39-21-41.2, a fee of twenty-five dollars.
 - 20 d. A violation of subsection 1 of section 39-12-02 or section 39-08-23, a fee of one
21 hundred dollars.
 - 22 e. A violation of subdivision d of subsection 1 of section 39-12-04, a fee of one
23 hundred dollars.

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- 1 f. A violation of subsection 1 of section 39-04-37 by an individual by becoming a
2 resident of this state, a fee of one hundred dollars.
- 3 g. A violation of subsection 2 of section 39-10-21.1, a fee of two hundred fifty
4 dollars.
- 5 h. A violation of section 39-10-59, a fee of one hundred dollars.
- 6 i. A violation of section 39-09-01, a fee of thirty dollars.
- 7 j. A violation of section 39-09-01.1, a fee of thirty dollars.
- 8 k. A violation of section 39-10-46 or 39-10-46.1, a fee of one hundred dollars.
- 9 3. For a violation of section 39-21-44 or a rule adopted under that section, a fee of two
10 hundred fifty dollars.

- 11 4. ~~Except as provided in subsections 7 and 11, for~~For a violation of section 39-09-02, or
12 an equivalent ordinance, a fee established as follows:

13 Miles per hour over

14 lawful speed limit

Fee

15 ~~1-5~~

~~\$ 5~~

16 ~~6-10~~

~~\$ 5 plus \$1/each mph over 5 mph over limit~~

17 ~~11-15~~

~~\$ 10 plus \$1/each mph over 10 mph over limit~~

18 ~~16-20~~

~~\$ 15 plus \$2/each mph over 15 mph over limit~~

19 ~~21-25~~

~~\$ 25 plus \$3/each mph over 20 mph over limit~~

20 ~~26-35~~

~~\$ 40 plus \$3/each mph over 25 mph over limit~~

21 ~~36-45~~

~~\$ 70 plus \$3/each mph over 35 mph over limit~~

22 ~~46+ \$100 plus \$5/each mph over 45 mph over limit~~of three dollars for each mile an

23 hour over the limit.

- 24 5. ~~On a highway on which the speed limit is a speed higher than fifty five miles-~~
25 ~~[88.51 kilometers] an hour, for a violation of section 39-09-02, or an equivalent-~~
26 ~~ordinance, a fee established as follows:~~

27 Miles per hour over

28 lawful speed limit

Fee

29 ~~1-10~~

~~\$2/each mph over limit~~

30 ~~11+~~

~~\$20 plus \$5/each mph over 10 mph over limit~~

- 31 6. For a violation of subsection 3 of section 39-21-46, a fee established as follows:

- 1 a. Driving more than eleven hours since the last ten hours off duty, driving after
2 fourteen hours on duty since the last ten hours off duty, driving after sixty hours
3 on duty in seven days or seventy hours in eight days, no record of duty status or
4 log book in possession, failing to retain previous seven-day record of duty status
5 or log book, or operating a vehicle with four to six out-of-service defects, one
6 hundred dollars;
- 7 b. False record of duty status or log book or operating a vehicle with seven to nine
8 out-of-service defects, two hundred fifty dollars;
- 9 c. Operating a vehicle after driver placed out of service, operating a vehicle with ten
10 or more out-of-service defects, or operating a vehicle that has been placed out of
11 service prior to its repair, five hundred dollars; and
- 12 d. All other violations of motor carrier safety rules adopted under subsection 3 of
13 section 39-21-46, fifty dollars.
- 14 ~~7.6. On a highway on which the speed limit is posted in excess of sixty five miles-~~
15 ~~[104.61 kilometers] an hour, for a violation of section 39-09-02, or equivalent-~~
16 ~~ordinance, a fee of five dollars for each mile per hour over the limit.~~
- 17 8.—For a violation of a school zone speed limit under subdivision b of subsection 1 of
18 section 39-09-02, a fee of ~~fortyeighty~~ eighty dollars for one through ten miles ~~per~~ per hour over
19 the posted speed; and ~~fortyeighty~~ eighty dollars, plus ~~one~~ two dollar for each additional mile
20 ~~per~~ per hour over ten miles per hour over the limit unless a greater fee would be
21 applicable under this section.
- 22 ~~9.7.~~ For a violation of a highway construction zone speed limit under subsection 2 of
23 section 39-09-02, a fee of eighty dollars for one through ten miles ~~per~~ per hour over the
24 posted speed; and eighty dollars plus two dollars for each mile ~~per~~ per hour over ten
25 miles per hour over the limit, unless a greater fee would be applicable under this
26 section. The fee in this subsection does not apply to a highway construction zone
27 unless individuals engaged in construction are present at the time and place of the
28 violation and the posted speed limit sign states "Minimum Fee \$80".