

HOUSE BILL NO. 1539

Introduced by

Representative Hoverson

1 A BILL for an Act to amend and reenact section 39-05-17 of the North Dakota Century Code,
2 relating to delivery of a certificate of title; and to provide a penalty.

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

4 **SECTION 1. AMENDMENT.** Section 39-05-17 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **39-05-17. Transfer of title of vehicle - Endorsement required - Certificate of title**
7 **delivered - New certificate obtained - Penalty.**

8 1. The owner or transferor of a motor vehicle who transfers title to a vehicle shall endorse
9 an assignment and warranty of title upon the certificate of title for the vehicle. The
10 owner or transferor shall include on the assignment and warranty of title the name of
11 the transferee and the selling price of the vehicle if applicable.

12 2. If legal title passes to the transferee, the owner shall deliver the endorsed certificate of
13 title to the transferee within fifteen days.

14 3. If legal title passes to a lienholder rather than the transferee, the transferee shall
15 endorse a statement that the lienholder holds the lien and shall send the certificate of
16 title to the department with an application for a new certificate of title showing the
17 names of the new owner and lienholder. The certificate of title when issued must be
18 sent by the department to the lienholder or the department may use an electronic lien
19 notification procedure in lieu of sending a certificate of title to a lienholder.

20 4. Within thirty days, the transferee shall deliver the endorsed certificate of title to the
21 department with a transfer fee of five dollars, and shall make an application for a new
22 certificate of title. In addition to any other penalty, the registration to a motor vehicle
23 may be suspended or revoked if the transferee fails to present the endorsed certificate
24 of title to the department for transfer and make application for a new certificate of title

- 1 within thirty days. The department shall deliver the new certificate of title to the
2 lienholder with priority. If there is no lienholder, delivery must be made to the owner.
- 3 5. A violation of this section by an owner, lienholder, or transferee is ~~a class-B-~~
4 ~~misdemeanor~~an infraction for which a fine of two hundred fifty dollars must be
5 imposed.