

**Sixty-third Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 8, 2013**

SENATE BILL NO. 2042
(Legislative Management)
(Transportation Committee)

AN ACT to amend and reenact section 39-05-20.3 of the North Dakota Century Code, relating to the refusal to issue a certificate of title for unsafe and unfit vehicles.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 39-05-20.3 of the North Dakota Century Code is amended and reenacted as follows:

39-05-20.3. Grounds for refusing certificate of title.

The department ~~shall~~may not issue a certificate of title or transfer a certificate of title ~~upon any of the following grounds if:~~

1. ~~When the~~The application contains any false or fraudulent statements ~~or when,~~ the applicant has failed to furnish required information or reasonable additional information requested by the department, ~~or when~~ the applicant is not entitled to the issuance of a certificate of title under this chapter.
2. ~~When the~~The vehicle is mechanically unfit or unsafe to be operated or moved upon the highways. A vehicle is unfit and unsafe if the vehicle has an out-of-state marked title that includes a certificate for destruction or a notation on the title that the vehicle is scrap, parts-only, junk, unrepairable, nonrebuildable, a dismantler, or any other similar notation.
3. ~~When the~~The department has reason to believe the vehicle is a stolen or embezzled vehicle or the granting of title would constitute a fraud against the rightful owner or other person having valid lien upon the vehicle.
4. ~~When the~~The certificate of title is suspended or revoked for any reason ~~as provided in the motor vehicle laws of this state.~~
5. ~~When the~~The required fee has not been paid.
6. ~~When any~~Any sales tax or motor vehicle excise tax, properly due, has not been paid.
7. ~~For~~There is failure to provide security for payment of basic no-fault benefits and the liabilities covered under motor vehicle liability insurance on a motor vehicle as required by chapter 26.1-41.

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-third Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2042.

Senate Vote: Yeas 45 Nays 0 Absent 2

House Vote: Yeas 87 Nays 3 Absent 4

Secretary of the Senate

Received by the Governor at _____ M. on _____, 2013.

Approved at _____ M. on _____, 2013.

Governor

Filed in this office this _____ day of _____, 2013,

at _____ o'clock _____ M.

Secretary of State