

Introduced by

Senators Miller, Oehlke, Dotzenrod

Representatives Heilman, D. Johnson, Wall

1 A BILL for an Act to amend and reenact sections 39-04-36 and 39-04-39.2 of the North Dakota
2 Century Code, relating to refunds for registration fees; and to provide an effective date.

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

4 **SECTION 1. AMENDMENT.** Section 39-04-36 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **39-04-36. Transfer of registered vehicle - Removal of number plates - Transfer of**
7 **number plates - Refund.**

- 8 1. Whenever the ownership of a vehicle registered under the provisions of this chapter or
9 chapter 39-18 is transferred or assigned, the registration of the vehicle expires and the
10 transferor shall remove the number plates.
- 11 2. Upon applying for the transfer of the registration and paying a five dollar fee, a person
12 who transfers or assigns to another person the ownership of a registered vehicle may
13 receive credit for the unused portion of the fees paid for the transferred vehicle. The
14 transferor must use a number plate previously removed pursuant to subsection 1,
15 regardless of whether there is any license fee credit remaining. If the number plate has
16 become lost, stolen, or mutilated, the transferor may apply for duplicate plates. The
17 department may establish procedures that permit the transferor to assign the credit to
18 the transferee if the transferor is the spouse, a sibling, or a lineal ancestor or
19 descendant of the transferee. Any remaining credit on a vehicle owned by a leasing
20 company must be credited to the lessee. One-twelfth of the annual fee must be
21 credited for each month of the registration period remaining after the month in which
22 the transfer is made. The credit may not extend beyond the original expiration of the
23 registration. Except as provided in this section and section 39-04-44, the credit must
24 be applied to the registration fees for a replacement vehicle. The transferor shall apply

1 for the transfer of registration within thirty days of the purchase of the replacement
2 vehicle.

3 3. Except as otherwise permitted in this chapter, before the transferee of a registered
4 vehicle may operate the vehicle on a highway, the transferee must apply for and
5 obtain a new registration of the vehicle, as on an original registration. To provide the
6 transferee adequate time to obtain a new registration, the director may provide for the
7 issuance of a temporary registration certificate to permit the transferee to operate the
8 vehicle for thirty days after the date of acquisition. The certificate must be printed on
9 the reverse side of each vehicle registration card and must be available to the
10 transferee from licensed vehicle dealers, law enforcement agencies, and motor vehicle
11 branch offices. The vehicle may be operated for five days from date of purchase
12 without a plate or certificate of ownership if dated evidence of ownership is carried in
13 the vehicle. The evidence of ownership must be in a form as prescribed by the
14 department.

15 4. If the person that transfers or assigns to another person the ownership of a registered
16 vehicle does not have a replacement vehicle, the department shall issue a refund to
17 the transferor for the remaining registration upon the payment of a five dollar fee. The
18 transferor must request the refund before the expiration of the registration. Any
19 remaining credit on a vehicle owned by a leasing company must be refunded to the
20 lessee. One-twelfth of the annual fee must be refunded for each month of the
21 registration period remaining after the month in which the transfer is made.

22 **SECTION 2. AMENDMENT.** Section 39-04-39.2 of the North Dakota Century Code is
23 amended and reenacted as follows:

24 **39-04-39.2. Refunds of registration fees.**

25 ~~No refunds of~~The department may not refund registration fees may be made, except
26 ~~when~~unless the vehicle has been improperly or incorrectly registered ~~or when~~, the vehicle has
27 been destroyed, or as otherwise provided by law.

28 **SECTION 3. EFFECTIVE DATE.** This Act is effective on August 1, 2013.