CHAPTER 39-04
MOTOR VEHICLE REGISTRATION

39-04-01. Definitions.
Repealed by S.L. 1987, ch. 439, § 2.

39-04-02. Application for the registration of a vehicle - Contents - Penalty.
Application for the registration of a vehicle must be made as provided in this section:

1. Application must be made by the owner thereof using the legal name as evidenced by a valid state-issued driver's license, identity card, or any other documentary evidence that confirms to the satisfaction of the director the true identity of the owner, upon appropriate forms approved or furnished by the department, and every application must be signed by the owner and must contain the owner's county of residence, address, and a brief description of the vehicle to be registered, including the name of the maker, either the engine, serial, or identification number, if any, whether new or used, and the last license number known, and the state in which issued, and, upon the registration of a new vehicle, the date of sale by the manufacturer or dealer to the person first operating the vehicle. When two or more owners are designated, at least one of the owners must comply with the identification requirement in this subsection and all names used must be legal names. The application must contain other information as may be required by the department.
2. If the vehicle for which registration is sought is a specially constructed, reconstructed, or foreign vehicle, the facts must be stated in the application. The owner of every vehicle which has been registered outside this state shall exhibit to the department the certificate of the title and registration card or other evidence as will satisfy the department that the applicant is the lawful owner or possessor of the vehicle.
3. If the vehicle for which registration is sought is a new vehicle, no registration may be issued unless a certificate of origin executed by the manufacturer of such vehicle is attached to the application for registration or is attached to the application for the certificate of title for such vehicle. If the new vehicle for which registration is sought is of foreign manufacture, the certificate of origin must be furnished by the importer of such vehicle. The manufacturer or importer of all new vehicles shall designate the total shipping weight of the vehicle on the certificate of origin.
4. In applying for registration the buyer shall state the buyer's post-office address and county and city or township of residence and the dealer shall make specific inquiry relative thereto before completing the application.
5. If the registration is for a semitrailer tank designated as MC306, MC307, MC312, MC330, MC331, or MC338, the applicant must show, upon request by an officer of the highway patrol, the status of compliance with hazardous material rules of the United States department of transportation or of this state. Violation of this subsection is punishable by a fine of one hundred dollars.

39-04-02.1. Change of address.
Whenever any person after making application for or obtaining the registration of a vehicle moves from the address named in the application or shown upon a registration card such person shall within ten days thereafter notify the department of the person's old and new addresses.

39-04-03. Size of tires to be given in application when truck, combination truck, or trailer registered.
Repealed by S.L. 1971, ch. 355, § 1.

39-04-04. Register of applicants to be kept by the department.
The department shall file each application received, and when satisfied as to the genuineness and regularity thereof, and that the applicant is entitled thereto, shall register the

described vehicle and the owner in books or electronic data processing files or on index cards or film as follows:

1. Under a distinctive registration number assigned to the vehicle and its owner, referred to in this chapter as the registration number.
2. Alphabetically under the name of the owner.
3. Numerically by the serial or identification number of the vehicle.
4. In the discretion of the department, in any other manner it may deem desirable.

39-04-05. Grounds for refusing registration.

The department shall refuse registration or any transfer of registration upon any of the following grounds:

1. That the application contains any false or fraudulent statement or that the applicant has failed to furnish required information or reasonable additional information requested by the department or that the applicant is not entitled to registration of the vehicle under this chapter.
2. That the vehicle is mechanically unfit or unsafe to be operated or moved upon the highways.
3. That the department has reasonable ground to believe that the vehicle is a stolen or embezzled vehicle or that the granting of registration would constitute a fraud against the rightful owner or other person having valid lien upon the vehicle.
4. That the registration of the vehicle stands suspended or revoked for any reason as provided in the motor vehicle laws of this state.
5. That the required fee has not been paid.
6. When any sales tax or motor vehicle excise tax, properly due, has not been paid.
7. For failure to maintain 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.
8. For failure to provide proof of payment of the heavy vehicle use tax due, as required, to the internal revenue service.
9. When the vehicle is operating in violation of the provisions of the international registration plan, international fuel tax agreement, or the unified carrier registration plan.
10. When a motor carrier has been ordered out of service by the federal motor carrier safety administration.

The director shall promulgate rules and regulations for refusal of registration of vehicles not equipped as required by chapter 39-21.

39-04-05.1. Refusal to register vehicle - Revoking registration - Appeal.

1. If the department determines that an applicant for registration of a vehicle is not entitled to registration, it may refuse to register the vehicle. The applicant has no further right to apply for registration on the statements contained in the application unless the department reverses its decision or its decision is reversed by a court of competent jurisdiction.
2. The department may, after giving notice to the owner and an opportunity for a hearing, revoke the registration of a vehicle if it determines that the vehicle is not entitled to registration. The notice must be served in person or by registered or certified mail.

39-04-06. When registration rescinded or suspended.

The department shall rescind or suspend the registration of a vehicle for any of the following:

1. When the department determines a vehicle is unsafe or unfit to be operated or is not equipped as required by law.
2. When the person to whom the registration card or registration number plates have been issued makes or permits any unlawful use of the same or permits the use thereof by a person or on a vehicle not entitled thereto.

3. When the department finds that a vehicle is registered in accordance with a reciprocity agreement, arrangement, or declaration and the vehicle is operated in violation of the agreement.
4. When the department determines that a motor vehicle is not covered by security for payment of basic no-fault benefits and the liabilities covered under motor vehicle liability insurance as required by chapter 26.1-41.
5. When the department is satisfied that the registration or registration card, plate, or permit was fraudulently or erroneously issued.
6. When a registered vehicle has been dismantled or wrecked.
7. When a registration card, registration plate, or permit is knowingly displayed upon a vehicle other than the one for which issued.
8. When the department determines that the owner has committed any offense under this chapter involving the registration or the registration card, plate, or permit to be suspended or rescinded.
9. When the purchaser or transferee of a vehicle fails to present the endorsed and assigned certificate of title to the department for transfer and make application for a new certificate of title within thirty days as required by section 39-05-17.
10. When the department determines a vehicle is operating in violation of the provisions of the international fuel tax agreement.
11. When a motor carrier has been ordered out of service by the federal motor carrier safety administration.

Any registration suspended for any of the above reasons must be restored upon compliance with the laws governing vehicle registration.

Whenever a check is returned to the department for want of payment the department shall rescind the registration of the vehicle covered by the check.

Any registration rescinded for want of payment of a check must be restored upon payment of the registration fee and a reasonable cost not to exceed twenty dollars for the collection of the check. If a returned check has a value exceeding one thousand dollars, the department shall also collect an additional fee of one percent of the value of the check.

39-04-07. Department to suspend registration upon notice of theft or embezzlement.

Whenever the owner of any motor vehicle which is stolen or embezzled files an affidavit alleging either of such facts, the department immediately shall suspend the registration of such vehicle and may not transfer the registration thereof nor reregister the same until such time as it is notified that the owner has recovered such vehicle. Notices given as provided in this section are effective only during the current registration year in which given, but if during such year such vehicle is not recovered a new affidavit may be filed with like effect during the ensuing year. Every owner who has filed an affidavit of theft or embezzlement immediately must notify the department of the recovery of such vehicle.

39-04-08. Number plates furnished by the department.

The department shall furnish to every motor vehicle owner two number plates for each registered motor vehicle, and one number plate for each registered motorcycle, trailer, or housetrailer. The department may, in its discretion, furnish only one number plate for each registered apportioned vehicle licensed under the international registration plan as authorized in section 39-19-04, truck tractor, or semitrailer.

39-04-08.1. Assignment of motor vehicle number plates.

Motor vehicle number plates may not be assigned as a reward for any political activity, in recognition of any political affiliation or membership in any political party, or on the basis of political favoritism. However, an elected state office may be assigned a single or double digit number on a number plate as requested by that official. The department of transportation may adopt rules governing the assignment of numbers on motor vehicle number plates in accordance with this section.

39-04-09. Director may design and issue number plates.

The director may design and issue plates of distinctly different color for each classification of motor vehicle, and there must at all times be a marked contrast between the background color of the plates and that of the numerals and letters on the plates. License plates must be acquired from the North Dakota state penitentiary if the penitentiary has the facilities to manufacture license plates. The director shall make a general issue during the biennium beginning July 1, 2013, and ending June 30, 2015, and continuing into the biennium beginning July 1, 2015, and ending June 30, 2017.

39-04-09.1. Commemorative Lewis and Clark number plates.

Repealed by S.L. 2015, ch. 260, § 1.

39-04-10. Special plates for amateur radio station licenseholders.

Owners of motor vehicles required to be registered under subdivisions a and b of subsection 2 of section 39-04-19, who hold an unrevoked and unexpired official amateur radio station license issued by the federal communications commission, Washington, D.C., may receive special plates. The plates will be issued upon application to the department, accompanied by proof of ownership of the amateur radio station license, compliance with the state motor vehicle laws relating to registration and licensing of motor vehicles, and payment of the regular license fee, as prescribed under the North Dakota motor vehicle laws. The special plates will be issued in lieu of the plates ordinarily issued, and must have inscribed on them the official amateur radio call letters of the applicant as assigned by the federal communications commission.

39-04-10.1. Manufacturer's plate - Fee.

A resident factory representative of any motor vehicle manufacturer may procure from the director a manufacturer's plate, which must be designed by the director, for a fee of one hundred fifty dollars, which fee is for a twelve-month period. If such plate is procured at other than the beginning of the registration period, such fees must be prorated on a monthly basis. The procurement of such manufacturer's plate by a factory representative is in lieu of the payment of any other registration fees, sales tax, or use tax on the motor vehicle used by the factory representative in the course of employment for the period for which the manufacturer's plate is current and valid. The manufacturer's plate may not be used by any person other than the representative to whom it was issued, nor may such plate be used on any vehicle other than that vehicle used by the factory representative in the course of employment. Upon the sale of the vehicle for which such manufacturer's plate was issued, the plate must be retained by the factory representative and used upon replacement vehicles subsequently acquired from the manufacturer for use in the course of employment.

In addition to the foregoing provisions, a manufacturer of motor vehicles is entitled to use a manufacturer plate on its demonstration vehicles. Such plate must be issued in the name of the manufacturer and must be used solely for demonstration purposes only by the registrant or its designated employees.

39-04-10.2. Special plates for mobility-impaired persons.

The director may issue, without charge, upon application and payment of the regular license fee, plates marked with the internationally accepted symbol of access for the mobility impaired, to any motor vehicle owner who possesses a parking certificate issued under subsection 4 of section 39-01-15. This section is not applicable to applicants who possess more than one parking certificate issued under subsection 4 of section 39-01-15.

39-04-10.3. Personalized plates.

At the request of a registrant, the department may provide special license plates marked with not more than seven numerals, letters, or ampersands, or combinations of numerals, letters, and ampersands, upon application for a special license plate and payment of an additional fee of twenty-five dollars per registration period, unless the plate is a gold star license

plate or a prisoner of war license plate, then there is no additional charge. The department shall make the special license plates authorized by this section available for motor vehicles registered under section 39-04-10.6, trailers, travel trailers, and motorcycles. The fee for the special license plates issued under this section for vehicles registered under section 39-04-10.6 is a one-time fee of one hundred dollars. The special license plates for motorcycles may contain not more than six numerals, letters, or ampersands, or a combination of not more than six numerals, letters, and ampersands. In the event of sale or transfer of the vehicle, the owner must remove the special license plates in accordance with section 39-04-36. Upon payment of the applicable transfer fee, the special license plates may be transferred to a replacement motor vehicle.

39-04-10.4. Antique motor vehicles - License and fee - Use.

1. Any motor vehicle which is at least forty years old may be permanently licensed by the department upon the payment of a registration fee of ten dollars. The department shall design and issue a distinctive number plate for this purpose. In lieu of the distinctive number plate, the owner of the motor vehicle may, at the discretion of the director, display on the motor vehicle a number plate from the year in which the motor vehicle was manufactured or in the case of military vehicles, military identification numbers. The number plate from the year of manufacture or military identification numbers may not be used in lieu of a distinctive number plate when it would create a duplication of a number in the recordkeeping system of the department. A number plate from the year of manufacture or military identification numbers must be legible and must be restored to the satisfaction of the department. Notwithstanding section 39-04-11, only one number plate needs to be displayed on a motor vehicle licensed under this subsection. Motor vehicles registered under the provisions of this section may not be used in the routine functions of a business or farming operation.
2. Any motor vehicle which is at least forty years old may, if not licensed under subsection 1, be permanently licensed using a personalized plate issued under section 39-04-10.3, in which case a one-time fee of one hundred dollars is due.

39-04-10.5. Prisoner of war plates - Transfer to certain surviving spouses - Retirement.

On the death of a prisoner of war to whom was issued a special number plate under subdivision o of subsection 2 of section 39-04-18, the director shall comply with this section. If the deceased prisoner of war was survived by a spouse, the director shall transfer the number plate to that spouse's name, and the spouse may retain the number plate as an active plate. If the surviving spouse remarries, then within thirty days of that remarriage, the surviving spouse shall surrender the plate to the director. On receipt of a surrendered plate, on the death of the surviving spouse, or if the deceased prisoner of war had no surviving spouse, the director shall retire the number used on the number plate. On retirement of a number plate and at the request of the survivors of the deceased prisoner of war, the director shall issue to the survivors one commemorative plaque resembling the number plate that had been issued to the prisoner of war.

39-04-10.6. Registration of motor vehicles owned by collectors.

A person who owns a motor vehicle that is at least twenty-five years old but that is not eligible for registration under section 39-04-10.4 may register that motor vehicle as a collector's motor vehicle. The motor vehicle is eligible for collector's registration if it is owned and operated solely as a collector's item and if the owner owns another motor vehicle the owner uses for general transportation. A motor vehicle qualifies as a collector's item under this section only if it is operated on public streets and highways for the purpose of driving the vehicle to and from active entry and participation in parades, car shows, car rallies, other public gatherings held for the purpose of displaying or selling the vehicle, and to and from service or storage facilities. An applicant for registration of a vehicle as a collector's motor vehicle shall file an affidavit with the director that states the owner's name and address, the make, year, and the manufacturer's

identification number of the motor vehicle, and a statement that the motor vehicle is owned and operated solely as a collector's item and not for general transportation purposes. If the director is satisfied that the affidavit is true and correct, the director shall register the motor vehicle as a collector's motor vehicle on the payment of a registration fee of sixty dollars. The registration is valid as long as the collector's motor vehicle is owned by the person who applied for the registration under this section. The director shall design and issue distinctive number plates for collector's motor vehicles registered under this section. In lieu of the distinctive number plates, the owner of the motor vehicle, at the discretion of the director, may display on the motor vehicle number plates from the year in which the motor vehicle was manufactured. The number plates from the year of manufacture may not be used in lieu of distinctive number plates when it would create a duplication of a number in the recordkeeping system of the department. Number plates from the year of manufacture must be legible and must be restored to the satisfaction of the department. A person violating this section or a department rule regarding this section forfeits the right to the registration provided in this section and any registration fees that have been paid.

39-04-10.7. Special number plates for farm vehicles.

The director shall issue, without an additional charge, upon application and payment of the registration fee, special number plates or validation decals making them distinctly different from other number plates, to any person registering a truck or combination of trucks and trailers as a farm vehicle under section 39-04-19. The director shall determine the form and size of the special number plates or validation decals and shall adopt rules governing the issuance of these special number plates or validation decals.

39-04-10.8. National guard number plates.

The director, in cooperation with the adjutant general, shall issue distinctive number plates to members of the national guard. A plate issued under this section must bear the national guard insignia designated by the adjutant general and the letters "NG" before the number. The director may issue the plates to the owner of a passenger motor vehicle, a truck the registered gross weight of which does not exceed twenty thousand pounds [9071.84 kilograms], or a motorcycle. On request of the director, the adjutant general shall certify those members of the national guard eligible to receive the plates. On payment of all other fees required under this chapter for registration of the motor vehicle, and payment of an additional fee of not more than five dollars to cover the cost of issuing the distinctive number plates, the applicant is entitled to issuance of the distinctive number plates. A registrant is eligible for distinctive number plates under this section if the registrant is a member of the national guard or if the registrant has retired from the national guard after twenty years or more of military service. On termination of the registrant's eligibility, the registrant shall return the distinctive number plates to the director, who shall reissue for a fee of not more than five dollars another number plate to which that registrant is entitled under this chapter. The director and adjutant general shall cooperate in establishing procedures to implement this section.

39-04-10.9. Law enforcement plates.

Upon request, the department shall issue identical plates that contain the word "SHERIFF" for the vehicles used and owned by a sheriff's department and the word "POLICE" for the motor vehicles used and owned by a city's police department. The plates must be in black letters and on the designed background in use at the time of issuance. The plates must be provided at actual cost. Notwithstanding section 39-04-11, the plates are the property of the law enforcement agency to which issued. At an appropriate time, replacement of the plates must occur whenever the designed background used by the state changes. Notwithstanding section 39-04-11, a motor vehicle that displays a plate under this section must have a clearly visible distinctive identification number on the rear of the vehicle assigned by the appropriate law enforcement agency.

39-04-10.10. North Dakota veterans' number plates.

1. The director may issue distinctive number plates to individuals eligible for interment in the North Dakota veterans' cemetery. The director shall issue a number plate under this section upon receiving:
   a. Payment of all other fees required under this chapter for registration of a motor vehicle;
   b. Payment of an initial fee of fifteen dollars of which ten dollars is to be deposited in the highway tax distribution fund and five dollars is to be deposited in the veterans' cemetery maintenance fund unless for a plate issued to a veteran who has been awarded the purple heart, then there is not an initial fee; and
   c. Verification of subsequent payments of an annual surcharge of ten dollars paid to the adjutant general unless for a plate issued to a veteran who has been awarded the purple heart, then there is not an annual surcharge.
2. The department shall collect the fees and the ten dollar surcharge under this section. The department shall report to the legislative assembly on the funds collected under this section during each legislative session. The department shall pay the funds collected under subdivisions b and c of subsection 1 to the adjutant general monthly, who then, within ten days of receipt of the funds, shall deposit five dollars of each initial fee in the veterans' cemetery maintenance fund and the ten dollar surcharge shall be divided with five dollars being deposited in the veterans' cemetery trust fund and five dollars being deposited in the veterans' cemetery maintenance fund in the state treasury. Investment of the fund is the responsibility of the state treasurer who shall have full authority to invest the fund only in the same manner as the state investment board is authorized to make investments. At the request of the adjutant general, the interest in the veterans' cemetery trust fund must be deposited in the veterans' cemetery maintenance fund for the purpose of funding salaries and maintenance of the veterans' cemetery.
3. The veterans' cemetery trust fund may accept funds from private and federal sources.

39-04-10.11. Firefighter's association plates.

The director, in cooperation with the North Dakota firefighter's association, shall design a decorative decal that contains an insignia representing service in the pursuit of firefighting and which is to be placed on a distinctive number plate. On payment of all other fees required under this chapter for registration of the motor vehicle, and payment of an additional annual fee of fifteen dollars for deposit in the highway fund, the applicant is entitled to issuance of the decals and plates. However, the director may not issue the decal and plates to the owner of a passenger motor vehicle or a truck the registered gross weight of which exceeds twenty thousand pounds [9071.84 kilograms]. A registrant is eligible for distinctive number plates under this section if the registrant is a member of the North Dakota firefighter's association. On request of the director, the North Dakota firefighter's association shall certify those members of the North Dakota firefighter's association eligible to receive the decals and plates. On termination of the registrant's eligibility, the registrant shall return the decals and plates to the director, who shall reissue for a fee of not more than five dollars another number plate to which that registrant is entitled under this chapter. The director and the North Dakota firefighter's association shall cooperate in establishing procedures to implement this section.

39-04-10.12. North Dakota future farmers of America foundation number plates.

The director shall design a decorative decal that contains the insignia of the North Dakota FFA foundation to be placed on a distinctive number plate. On payment of all other fees required under this chapter for registration of the motor vehicle and payment of an additional fee of ten dollars, the applicant is entitled to issuance of the decals and plates. However, the director may not issue the decals and plates to the owner of a passenger motor vehicle or a truck the registered gross weight of which exceeds twenty thousand pounds [9071.84 kilograms].

39-04-10.13. Public or nonprofit organization number plate.

1. The director shall develop an organization number plate program for distinctive number plates for qualifying public and for nonprofit organizations recognized by the internal revenue service as tax exempt under 26 U.S.C. 501(c)(3). When appropriate, the department shall design a distinctive number plate to minimize the changes to a single application of overlay on the left side of the number plate. The organization may submit a design for the distinctive number plate for approval by the director. Upon approval by the director and proper application with proof of a minimum of fifty applicants and a one-time payment of one thousand five hundred dollars for a certain organization's number plate, the director shall include the number plate in the organization number plate program.
2. The following organizations do not qualify for an organization number plate: out-of-state colleges and universities; groups within high schools, junior colleges, universities, and technical schools, including individual boosters, athletic boosters, and similar groups; unions; political organizations; religious organizations; groups that promote racial or social disharmony; and public offices.
3. Upon proper application for a plate in the organization number plate program and payment of all other fees required under this chapter for registration of the motor vehicle and payment of an additional annual fee of twenty-five dollars, a qualified applicant is entitled to issuance of a certain organization number plate. However, the director may not issue the plates to the owner of a passenger motor vehicle or a truck the registered gross weight of which exceeds twenty thousand pounds [9071.85 kilograms].
4. The director shall deposit ten dollars of the additional organization number plate fee in the highway tax distribution fund and transfer monthly fifteen dollars to the proper organization to support programs of that organization.

39-04-10.14. North Dakota gold star number plates.

1. The director may issue distinctive number plates to a surviving spouse, parent, including stepmother, stepfather, parent through adoption, and foster parent who stands or stood in loco parentis, grandparents, child, including stepchild and child through adoption, and sibling, including half-brother and half-sister, of a member of the armed forces of the United States who died while serving on active duty during a time of military conflict. The director shall issue a number plate under this section upon receiving payment of all other fees required under this chapter for registration of a motor vehicle.
2. Plates issued under this section must bear a gold star emblem logo on the left side of the plate and the letters "GS" before the number. The director shall cooperate with the director of the department of veterans' affairs to design the gold star emblem logo. The director may issue one set of plates per eligible owner of a passenger motor vehicle or a truck the registered gross weight of which does not exceed twenty thousand pounds [9071.85 kilograms].
3. On request of the director, the department of veterans' affairs shall certify those surviving family members of deceased members of the United States armed forces listed above as eligible to receive the plates.
4. Once declared eligible for a gold star plate, the department may not remove the eligibility of a surviving family member.
5. Once a plate number is issued to an eligible family member, the department may not assign the plate to another eligible person.

39-04-10.15. Patriotic number plates.

1. The director shall issue patriotic plates under this section upon receiving:
   a. Payment of all other fees required under this chapter for registration of a motor vehicle;

b. Payment of an initial fee of twenty-five dollars of which twenty dollars is deposited in the highway tax distribution fund and five dollars is deposited in the veterans' postwar trust fund; and
c. Payment of an annual surcharge of twenty-five dollars of which ten dollars is deposited in the highway tax distribution fund and fifteen dollars is deposited in the veterans' postwar trust fund.

2. The department shall collect the initial fees and the annual surcharges under this section. Deposits in the veterans' postwar trust fund under this section must be added to the principal of the fund. Investment of the fund is the responsibility of the state treasurer who shall have full authority to invest the fund only in the same manner as the state investment board is authorized to make investments.
3. Patriotic plates must include a flag of the United States decal plate, bald eagle decal plate, or boonie stomper decal plate.

39-04-11. Display of number plates and tabs.

Except as otherwise specifically provided, a person may not operate or drive a vehicle on the public highways of this state unless the vehicle has a distinctive number assigned to it by the department, and two number plates, bearing the distinctive number conspicuously displayed, horizontally and in an upright position, one on the front and one on the rear of the vehicle, each securely fastened, except number plates assigned to a motorcycle, trailer, or housetrailer must be attached to the rear thereof. When only one number plate is furnished for an apportioned vehicle licensed under the international registration plan as authorized in section 39-19-04, truck tractor, or semitrailer, the plate must be attached to the front of the apportioned vehicle or truck tractor and the rear of the semitrailer. The bottom of each number plate must be at a height of not less than twelve inches [30.48 centimeters] above the level surface upon which the vehicle stands. Each plate must be mounted in a manner that does not cover any words, letter, or number on the plate. As far as is reasonably possible, the plates must at all times be kept free and clear of mud, ice, or snow so as to be clearly visible and all number plates, markers, or evidence of registration or licensing except for the current year must be removed from the vehicle. All vehicle license plates issued by the department continue to be the property of the state of North Dakota for the period for which the plates are valid. An annual registration tab or sticker for the current registration year must be displayed on each number plate, in the area designated by the department for the tab or sticker, in those years for which tabs or stickers are issued in lieu of number plates.

39-04-12. Contents of number plates - Size of letters and numerals on plates - Reflectorized - Tabs or stickers - Additional fee.

1. Number plates must be of metal or other suitable material bearing the name of the state, either in full or by abbreviation, the number of the year, the slogan "Peace Garden State" and a distinctive number for assignment to each vehicle. The distinctive number may be in figures or a combination of figures and letters and must be of a size clearly distinguishable by law enforcement officers and individuals generally. To reduce highway accidents at night all number plates must be legible for a minimum distance of one hundred feet [30.48 meters] to an approaching motorist by day or night with lawful headlight beams and without other illumination. Each plate must be treated with a reflectorized material according to the specifications prescribed by the department. The department shall furnish for each annual registration a year plate, tab, or sticker to designate the year registration. The plate, tab, or sticker must show the registration year for which issued, and is valid only for that year.
2. The department, in its discretion, may provide to an owner of a trailer that is operated, offered for lease, or rented to the public, number plates that are for a period of not more than six consecutive years and which are exempt from the requirements of annual validation evidence. The registration fees for the trailer may be paid for the entire period for which the plates are issued, or the fee may be paid for the first year of the issue and a corporate surety bond may be filed in the sum the department determines reasonable and adequate in the circumstances, conditioned that the owner

will pay the annual fee at the beginning of each annual registration period. The department shall transfer to a replacement trailer number plates issued pursuant to this subsection along with any unused registration fees. If the owner has disposed of the trailer and is not replacing the trailer, upon surrender of the number plates the department shall issue a refund of the registration fees paid for any unused registration year.

3. The department may provide to an owner of a fleet of one hundred or more vehicles number plates that are valid for as many as six consecutive years and that are exempt from the requirements of evidence of annual validation. The registrant shall file with the department a corporate surety bond in an amount the department determines to be reasonable and adequate, and conditioned that the owner will pay the annual fee at the beginning of each annual registration period for which the number plates are valid.

39-04-13. Duplicates to be obtained of number plate, tab, sticker, or registration card if lost, mutilated, or illegible - Fee.

If any number plate, tab, sticker, or registration card issued under the provisions of this chapter is lost, mutilated, or becomes illegible, the person who is entitled thereto shall make immediate application for and obtain a duplicate or substitute upon furnishing information of such fact satisfactory to the department and upon payment of the cost of issuing the duplicate item, not to exceed the sum of five dollars for each duplicate number plate, tab, sticker, or registration card issued. The department may issue a duplicate number plate, tab, sticker, or registration card at no cost to the owner when satisfied the vehicle owner did not receive the original number plate, tab, sticker, or registration card which was issued.

39-04-14. Renewal of registration.

Every vehicle registration, except those described in section 39-04-14.1, under this chapter expires on December thirty-first each year and must be renewed annually upon application by the owner and by payment of the fees required by law, such renewal to take effect on the first day of January each year. An owner who has made proper application for renewal of registration of a vehicle previous to January first but who has not received the number plates, plate, or registration card for the ensuing year is entitled to operate or permit the operation of such vehicle upon the highways upon displaying thereon the number plates or plate issued for the preceding year for such time, to be prescribed by the department, as may be required for the issuance of the new plates. If a previously registered motor vehicle whose registered gross weight exceeds twenty thousand pounds [9071.84 kilograms] is purchased during the period the vehicle's registration in this state is expired, the registration fee must be prorated on a monthly basis from the date of purchase to January first.

39-04-14.1. Renewal of registration of motor vehicles under certain weight.

Except as otherwise provided in this section, the registration of a motor vehicle whose registered gross weight does not exceed twenty thousand pounds [9071.84 kilograms] expires on the last day of the month which is the anniversary of the month it was originally registered. The registration may be renewed annually on application by the owner and payment of fees required by law. The renewal takes effect on the first day of the first month of the registration period. An owner of more than one vehicle qualifying for staggered registration under this section may renew all of the owner's vehicles in the same month. The director shall prorate the registration fees accordingly. If a previously registered motor vehicle whose registered gross weight does not exceed twenty thousand pounds [9071.84 kilograms] is purchased during the period the vehicle's registration in this state is expired, the department shall collect the annual registration fee under section 39-04-19 and shall issue registration that expires on the last day of the month that is the anniversary of the month the vehicle was purchased.

39-04-14.2. Staggered registration for apportioned vehicles.

The director may establish a procedure for the implementation of a staggered registration system for vehicles registered pursuant to the international registration plan. Procedures

established under this section may provide for a one-time collection of up to eighteen months of registration fees.

39-04-14.3. Online registration renewal receipt showing compliance with registration is prima facie evidence.

The possession of a receipt, via the department's online registration renewal service, is prima facie evidence of compliance with motor vehicle registration laws, with reference to the vehicle therein described, for a period of fifteen days from the date of the printed receipt.

39-04-15. When registration fees become due and delinquent.

The registration fee for a vehicle becomes due as soon as the vehicle is used upon the highways of this state. The registration for a vehicle becomes delinquent immediately upon expiration of the prior registration.

39-04-15.1. Installment registration of vehicles licensed for a gross weight in excess of thirty-six thousand pounds [16329.33 kilograms] - Delinquencies - Penalty.

Repealed by S.L. 1983, ch. 423, § 2.

39-04-16. Penalty for delinquent registration fees - Exceptions.

Repealed by S.L. 1975, ch. 328, § 1.

39-04-17. Certificate of notary showing compliance with registration is prima facie evidence - Penalty.

The possession of a certificate made out by a notary public or an authorized agent of a licensed vehicle dealer who took the acknowledgment of the application when the vehicle was first registered or required to be registered under the laws of this state, if such certificate shows the date of application, the make, registered weight, and year model of the motor vehicle, the manufacturer's number of the motor vehicle which such application describes, and further shows that such notary public, or authorized agent of a vehicle dealer, personally mailed the application with the remittance fee, is prima facie evidence of compliance with motor vehicle law with reference to the vehicle therein described, for a period of seventy-five days from the date of such application. Any violation of this section is an infraction punishable by a fine of not less than fifty dollars.

39-04-18. Motor vehicles exempt from registration fees - Reciprocal use of state highways by foreign licensed motor vehicles.

1. Except as provided in this section, every motor vehicle as defined in section 39-01-01, trailer or semitrailer designed to be towed by a truck or truck tractor, and farm trailer operated or intended to be operated upon any highway, road, or street in this state must be registered annually with the department. Any vehicle being operated on highways, roads, or streets of this state must display license plates as furnished by the department upon payment of the fees prescribed in this chapter.

   Upon satisfactory proof to the department that a motor vehicle owned by a resident of this state was not used upon any of the highways of this state in any one or more years, the motor vehicle may be registered upon payment of the registration fee for the current year.

   Any resident of the state of North Dakota, serving in the armed forces of the United States for a period of time greater than one year, may relicense any motor vehicle owned by the veteran without paying any fee or penalties for the intervening years when the vehicle was not licensed, providing the veteran shows by suitable affidavit that the vehicle was not in use during any year in which it was not licensed. The vehicle must be licensed for the license fee applicable to the month of the year in which application for license is made.
2. The following motor vehicles may be operated upon the highways, roads, and streets of this state without being registered, under such limitations as are herein specified;

provided, however, that whenever the department determines that it is to the best interest of the state of North Dakota and determines by reciprocal agreement or otherwise that as great or greater privileges are not granted North Dakota residents while traveling in other states or territories, the department may cancel or limit the application of any exception to residents or motor vehicles from such other state or territory:

a. Farm tractors as defined in section 39-01-01, special mobile equipment and road rollers and other road construction or maintenance machinery that cannot be operated on the highways and streets of this state in a normal operating manner.

b. Motor vehicles owned by or in possession of Indian mission schools, by this state or any of its agencies, departments, or political subdivisions, including school districts possessing a motor vehicle or vehicles used for driver education instruction, or by any entity located upon the international boundary line between the United States of America and Canada used and maintained as a memorial to commemorate the long-existing relationship of peace and good will between the people and the governments of the United States of America and Canada and to further international peace among the nations of the world; provided, however, that the vehicles must display license plates provided by the department at actual cost. Upon request, qualifying law enforcement motor vehicles must be issued a license plate under section 39-04-10.9.

   Each motor vehicle loaned or furnished by a licensed North Dakota motor vehicle dealer to a school district in North Dakota to be used exclusively for instructing pupils in the driver education and training program conducted by the school district will be assigned an official license plate. The license plates must be used only on the motor vehicles furnished by dealers and used in the driver education program, and for no other purpose except for garaging and safekeeping of the motor vehicle.

   A person may not use a driver education motor vehicle bearing official license plates for any purpose other than driver education course instruction. A person is not in violation of this subdivision if the person is required by the dealer or a school administrator to house or otherwise protect the vehicle at the person's home or other facility.

c. Motor vehicles registered in any other state or territory when coming into this state a distance not exceeding twenty miles [32.19 kilometers]; provided, however, that such motor vehicles have displayed thereon the current license plates issued by the state or territory in which they are registered and provided further that the owners or operators thereof are not residents of this state. Nor may such vehicles be required to pay any other tax, and no registration fee or tax may be required when such vehicles do not leave the incorporated limits of any city while in the state of North Dakota within a zone circumscribed by a line running parallel to the corporate limits of any city or contiguous cities and twenty miles [32.19 kilometers] distant therefrom. This section does not prevent trucks from coming into the state such distance as shall be necessary to reach the nearest railway shipping station. For purposes of this subdivision, an individual is a resident of this state if the individual is gainfully employed or engages in any trade, profession, or occupation within this state and owns, leases, or rents a place of residence or otherwise lives within this state for the purposes of employment, or regardless of domicile or any other circumstance, remains in this state for a period of at least ninety consecutive days. For purposes of this subdivision, a resident does not include a student at a university, college, or technical school in this state or a daily commuter from another jurisdiction if that jurisdiction exempts the vehicle of a daily commuter from this state from registration in that jurisdiction under a reciprocity agreement.

d. Motor vehicles owned and operated by the United States government, or any foreign government, or any of their agencies or departments; provided, however, that such motor vehicles must display identification plates.

e. Passenger motor vehicles registered in any other state or territory; provided, however, that such motor vehicles have displayed thereon the current license plates issued by the state or territory in which they are registered and provided further that the owners or operators thereof are not residents of this state. For purposes of this subdivision, an individual is a resident of this state if the individual is gainfully employed or engages in any trade, profession, or occupation within this state and owns, leases, or rents a place of residence or otherwise lives within this state for the purposes of employment, or regardless of domicile or any other circumstance, remains in this state for a period of at least ninety consecutive days. For purposes of this subdivision, a resident does not include a student at a university, college, or technical school in this state or a daily commuter from another jurisdiction if that jurisdiction exempts the vehicle of a daily commuter from this state from registration in that jurisdiction under a reciprocity agreement.

f. Motor vehicles owned and operated by a manufacturer of motor vehicles when such motor vehicles are operated or moved such distance as may be authorized by the director from the factory where manufactured or assembled, to a depot or place of shipment or other point of delivery; provided, however, that such vehicles have displayed in plain sight the name and address of the manufacturer and a written permit from local police authorities.

g. Motor vehicles owned and operated by a licensed North Dakota motor vehicle dealer from a railway depot, warehouse, salesroom, or place of shipment; provided, however, that such vehicles have displayed in plain sight the name and address of the dealer and a written permit from the local police authorities.

h. Motor vehicles owned and operated by nonresidents engaged in harvest of agricultural products from June first through December thirty-first of any one year; provided, however, that such motor vehicles have displayed thereon a decal or other means of identification issued by the director upon payment of a fee of fifty dollars.

i. Vehicles owned by nonresident military personnel stationed in this state and operated by such military personnel or their dependents, provided such vehicle is registered in the state or territory whereof such military person is a resident, and provided further that current license plates from such state or territory are displayed on such vehicle.

j. Motor vehicles not exceeding twenty-six thousand pounds [11793.40 kilograms] registered gross weight owned and operated by a disabled veteran under the provisions of Public Law 79-663 [38 U.S.C. 3901], a disabled veteran who has a one hundred percent service-connected disability as determined by the department of veterans' affairs, or a disabled veteran who has an extra-schedular rating to include individual unemployability that brings the veteran's total disability rating to one hundred percent as determined by the department of veterans' affairs is entitled to display either a distinctive license plate or a standard plate that does not identify the veteran as a veteran or disabled veteran which is issued by the department. This exemption applies to no more than two such motor vehicles owned by a disabled veteran at any one time. A surviving spouse of a disabled veteran who has not remarried and who is receiving department of veterans' affairs dependency and indemnity compensation retains the exemption of the deceased veteran who qualified under this subdivision for one vehicle.

k. Motor vehicles having not over two axles and not being used in combination owned and operated by nonresidents and any motor vehicle or combination of three axles or more operated in this state pursuant to a proportional licensing or other agreement or arrangement with any jurisdiction having motor vehicle registration authority.

l. Motor vehicles owned and operated by a resident building mover or by a resident well driller; provided, however, that such vehicles are used only for moving buildings or building-moving equipment, or are used only for drilling water wells or

moving water well-drilling equipment; provided, further, that such vehicles display a license plate issued by the director upon the payment of a fee of twenty-five dollars for two axle trucks, fifty dollars for tandem axle trucks and single axle truck-tractor units, and seventy-five dollars for each tandem axle truck-tractor unit.

Any vehicle which has been issued this special motor vehicle license may be registered under the regular motor vehicle registration law, by payment of the difference between the amount paid for the special motor vehicle license and the regular registration fee for such vehicle.

Any vehicle which has been issued this special motor vehicle license and is found being operated upon the highways of this state without being equipped with special house-moving or well-drilling equipment shall forfeit the fee paid and, in addition, must be required to register under the regular motor vehicle registration law of this state. None of the above limitations may be construed as restricting the operation of the special licensed vehicle when such operation would not require a greater fee than that paid for this operation.

m. Any trailer, semitrailer, or farm trailer when the gross weight, not including the weight of the towing vehicle, does not exceed one thousand five hundred pounds [680.39 kilograms] and it is not for hire or commercial use, or when used to transport recreational vehicles or boats and it is not for hire or commercial use.

n. Any vehicle which is driven or moved upon a highway only for the purpose of crossing the highway from one property to another. The crossing must be made at an angle of approximately ninety degrees to the direction of the highway.

o. Passenger motor vehicles, house cars, or pickup trucks not exceeding twenty thousand pounds [9071.84 kilograms] registered gross weight owned and operated by a resident who, while serving in the United States armed forces, was a prisoner of war and has received an honorable discharge from the United States armed forces is entitled to display a distinctive license plate issued by the department. This exemption also applies to any passenger motor vehicle, house car, or pickup truck not exceeding twenty thousand pounds [9071.84 kilograms] registered gross weight subsequently purchased or acquired by such a former prisoner of war. This exemption applies to no more than two motor vehicles owned by a former prisoner of war at any one time. A surviving spouse of a former prisoner of war who has not remarried retains the exemption of the deceased veteran who qualified under this subdivision for one vehicle.

p. Motor vehicles not exceeding twenty-six thousand pounds [11793.40 kilograms] registered gross weight owned and operated by a veteran who was awarded the purple heart is entitled to a distinctive license plate issued by the department. This exemption applies to one motor vehicle owned by a veteran who was awarded the purple heart.

39-04-18.1. Failure to register upon gainful employment.

A person operating a motor vehicle in violation of subdivision c or e of subsection 2 of section 39-04-18 shall purchase an annual registration for that motor vehicle for a fee that is not discounted from the appropriate amount listed in a table in section 39-04-19. A law enforcement officer may issue a registration for that vehicle and shall remit the registration fee to the department of transportation. The department shall provide for evidence of registration to be issued by a law enforcement officer enforcing subdivision c or e of subsection 2 of section 39-04-18.

39-04-18.2. Temporary motor vehicle registration - Fees.

1. Any owner, lessee, or operator of a motor vehicle who is employed in this state on a temporary or full-time basis may choose to purchase a temporary registration permit in lieu of registering the vehicle pursuant to section 39-04-18, if the vehicle displays a valid registration and license plate from another jurisdiction and is properly insured. Application for the temporary registration permit must be made in the manner and form

prescribed by the department. The temporary registration permit must bear a distinctive number assigned to the vehicle and an expiration date. At all times the operator shall ensure that the temporary registration permit is displayed and clearly visible on the vehicle in a manner prescribed by the department. Motor vehicles temporarily registered under this section may be registered without a title transfer or imposition of motor vehicle excise tax. The operator shall keep evidence of registration from the other jurisdiction in the motor vehicle and provide evidence of registration to a law enforcement officer or the department, upon request.

2. Motor vehicles temporarily registered in this state must be furnished a permit as follows:
   a. Passenger vehicles, pickups, vans, and trucks not exceeding twenty thousand registered gross weight pounds [9071.84 kilograms] temporarily registered in this state must be furnished a permit upon payment of sixty dollars for six months or one hundred twenty dollars for twelve months of required registration.
   b. Trucks or combinations of trucks and trailers weighing more than twenty thousand registered gross weight pounds [9071.84 kilograms] temporarily registered in this state must be furnished a permit upon payment of the following fees:

Weight	Six-Month Fee	Twelve-Month Fee
20,001 - 42,000	$220	$440
42,001 - 62,000	$380	$760
62,001 - 82,000	$530	$1,060
82,001 - 105,500	$900	$1,800

   c. Motorcycles temporarily registered in this state must be furnished a permit upon payment of thirty dollars for six months or sixty dollars for twelve months.
   d. An additional fee of ten dollars applies to each temporary registration permit.

39-04-19. Motor vehicle registration fees and mile tax.

Motor vehicles required to pay registration fees or a mile tax shall pay the following fees:

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

	YEARS REGISTERED			
Gross Weights	1st, 2nd, 3rd, 4th, 5th, and 6th Years	7th, 8th, and 9th Years	10th, 11th, and 12th Years	13th and Subsequent Years
Less than 3,200	$73	$65	$57	$49
3,200 - 4,499	93	81	69	57
4,500 - 4,999	111	94	79	63
5,000 - 5,999	142	120	98	76
6,000 - 6,999	175	146	117	89
7,000 - 7,999	208	172	137	102
8,000 - 8,999	241	199	157	115
9,000 and over	274	225	177	128

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

A pickup truck is subject to registration at the rates prescribed for other vehicles under this subdivision by applying the shipping weight of the vehicle to

the fee schedule. At a minimum, the registered gross weight displayed on the registration card for a pickup truck must be twice the shipping weight of the vehicle. Unless otherwise exempted by this chapter, the owner of a pickup truck shall request the registered gross weight of the pickup truck be increased to ensure the registered gross weight is sufficient to include the total weight of the vehicle and any load transported on or by the vehicle. For purposes of this subdivision, a pickup truck is a motor vehicle with a manufacturer's gross vehicle weight rating of less than eleven thousand five hundred pounds [5216.31 kilograms], with an unladen weight of less than eight thousand pounds [3628.74 kilograms], and which is equipped with an open box-type bed not exceeding nine feet [2.74 meters] in length.

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

	YEARS REGISTERED				
Gross Weights	1st Through 6th Years	7th Through 9th Years	10th Through 12th Years	13th Through 19th Years	20th and Subsequent Years
Not over 4,000	$71	$58	$53	$50	$49
4,001 - 6,000	76	63	57	51	50
6,001 - 8,000	81	68	61	52	51
8,001 - 10,000	86	73	65	54	53
10,001 - 12,000	91	78	69	56	55
12,001 - 14,000	96	83	73	59	58
14,001 - 16,000	101	88	77	62	61
16,001 - 18,000	106	93	81	64	63
18,001 - 20,000	109	96	83	65	64

	YEARS REGISTERED		
Gross Weights	1st, 2nd, 3rd, 4th, 5th, 6th, and 7th Years	8th, 9th, 10th, 11th, and 12th Years	13th and Subsequent Years
20,001 - 22,000	$139	$113	$100
22,001 - 26,000	191	161	145
26,001 - 30,000	252	210	188
30,001 - 34,000	318	263	235
34,001 - 38,000	379	312	278
38,001 - 42,000	440	361	320
42,001 - 46,000	501	409	363
46,001 - 50,000	562	458	406
50,001 - 54,000	632	516	457
54,001 - 58,000	693	565	500
58,001 - 62,000	755	614	543
62,001 - 66,000	815	662	586
66,001 - 70,000	876	711	628
70,001 - 74,000	937	760	671
74,001 - 78,000	998	809	714
78,001 - 82,000	1,059	858	757
82,001 - 86,000	1,182	963	844
86,001 - 90,000	1,304	1,067	931
90,001 - 94,000	1,426	1,172	1,018
94,001 - 98,000	1,548	1,277	1,106
98,001 - 102,000	1,670	1,381	1,193
102,001 - 105,500	1,792	1,486	1,280

c. Motorcycles, fifteen dollars.

3. Motor vehicles acquired by disabled veterans under the provisions of Public Law 79-663 [38 U.S.C. 3901] are exempt from the payment of state sales or use tax and, if paid, such veterans are entitled to a refund. This exemption also applies to any passenger motor vehicle or pickup truck not exceeding twenty-six thousand pounds [11793.40 kilograms] registered gross weight but shall apply to no more than two such motor vehicles owned by a disabled veteran at any one time.

4. Every trailer, semitrailer, and farm trailer required to be registered under this chapter must be furnished registration plates upon the payment of a twenty dollar annual fee. Every trailer, semitrailer, or farm trailer not required to be registered under this chapter must be furnished an identification plate upon the payment of a fee of five dollars. Upon the request of a person with a trailer or farm trailer to whom a registration or identification plate is provided under this subsection, the department shall provide a plate of the same size as provided for a motorcycle. The department shall provide notification of this option to the person before the replacement or issuance of the plate.

5. Trucks or combinations of trucks and trailers weighing more than twenty thousand but not more than one hundred five thousand five hundred pounds [more than 9071.84 but not more than 47854.00 kilograms] which are used as farm vehicles only, are entitled to registration under the following fee schedule and the provisions of this subsection. Farm vehicles are considered, for the purpose of this subsection, as trucks or combinations of trucks and trailers weighing more than twenty thousand but not more than one hundred five thousand five hundred pounds [more than 9071.84 but not more than 47854.00 kilograms] owned, or leased for at least one year by a bona fide resident farmer who uses the vehicles exclusively for transporting the farmer's own property or other property on a farm work exchange basis with other farmers between farms and the usual local trading places but not in connection with any commercial retail or wholesale business being conducted from those farms, nor otherwise for hire. In addition to the penalty provided in section 39-04-41, any person violating this subsection shall license for the entire license period the farm vehicle at the higher commercial vehicle rate in accordance with the weight carried by the farm vehicle at the time of the violation.

	YEARS REGISTERED			
Gross Weights	1st, 2nd, 3rd, 4th, 5th, and 6th Years	7th and 8th Years	9th and 10th Years	11th and Subsequent Years
20,001 - 22,000	$111	$97	$83	$65
22,001 - 24,000	116	101	86	67
24,001 - 26,000	124	107	90	69
26,001 - 28,000	135	115	96	73
28,001 - 30,000	144	123	102	77
30,001 - 32,000	159	136	113	86
32,001 - 34,000	169	144	119	90
34,001 - 36,000	179	152	125	94
36,001 - 38,000	189	160	131	98
38,001 - 40,000	199	168	137	102
40,001 - 42,000	209	176	143	106
42,001 - 44,000	219	184	149	110
44,001 - 46,000	229	192	155	114
46,001 - 48,000	239	200	161	118
48,001 - 50,000	249	208	167	122
50,001 - 52,000	269	226	183	136
52,001 - 54,000	279	234	189	140
54,001 - 56,000	289	242	195	144
56,001 - 58,000	299	250	201	148
58,001 - 60,000	309	258	207	152
60,001 - 62,000	319	266	213	156

62,001 - 64,000	329	274	219	160
64,001 - 66,000	339	282	225	164
66,001 - 68,000	349	290	231	168
68,001 - 70,000	359	298	237	172
70,001 - 72,000	369	306	243	176
72,001 - 74,000	379	314	249	180
74,001 - 76,000	389	322	255	184
76,001 - 78,000	399	330	261	188
78,001 - 80,000	409	338	267	192
80,001 - 82,000	419	346	273	196
82,001 - 84,000	429	368	316	272
84,001 - 86,000	449	385	330	284
86,001 - 88,000	469	402	344	296
88,001 - 90,000	489	419	358	308
90,001 - 92,000	509	436	372	320
92,001 - 94,000	529	453	386	332
94,001 - 96,000	549	470	400	344
96,001 - 98,000	569	487	414	356
98,001 - 100,000	589	504	428	368
100,001 - 102,000	609	521	442	380
102,001 - 104,000	629	538	456	392
104,001 - 105,500	649	555	470	404

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

39-04-19.1. Registration of soil and water conservation vehicles.

Trucks or combinations of trucks and trailers owned and operated by a bona fide resident of this state, but no more than one truck tractor and lowboy trailer unit, of a gross weight of twenty-four thousand one pounds [10886.67 kilograms] or more and used exclusively in soil and water conservation work or exclusively for township road construction work that results in direct benefits to agriculture, shall be furnished license plates upon the payment of one-half the annual fees for such corresponding weight as provided in subdivision b of subsection 2 of section 39-04-19.

This section is not applicable to any trucks and trailers used in road construction work, the contract for which is in excess of three thousand dollars.

39-04-20. Additional fees required of trucks.

Repealed by S.L. 1995, ch. 450, § 1.

39-04-21. Fees for motor vehicles first registered in state.

When a motor vehicle first becomes subject to registration during the calendar year, the registration fee must be for the remainder of the year prorated on a monthly basis, one-twelfth of the annual registration fee for each calendar month or fraction thereof. Penny adjustments must be carried to the next even dollar. Temporary registrations must be issued in such manner as is prescribed by the director of the department of transportation.

39-04-21.1. Trailers, semitrailers, farm trailers - Registration fees prorated - Excess weight registration.

Repealed by S.L. 1983, ch. 427, § 3.

39-04-22. Motor vehicle exceeding registered gross weight for which licensed not to be operated on highway - Exception.

Except as otherwise provided by law, a motor vehicle, or a combination of motor vehicles, may not be operated upon the highways of this state when the gross weight exceeds the

registered gross weight for which the vehicle or combination of vehicles was licensed. Any person violating the provisions of this section will be required to license such motor vehicle at the higher legal rate in accordance with the weight carried by the motor vehicle at the time of the violation for the entire license period. However, such registration may not be construed to authorize the movement of loads in violation of chapter 39-12.

39-04-23. Registered motor vehicle transporting property may change registration to higher or lower registered gross weight.

Any owner of a motor vehicle transporting property who has licensed the vehicle for any gross weight limitations may change the registration to a higher registered gross weight limitation by the payment of the difference between the fee required for the new registration and the fee paid for the registration under which the vehicle is being operated. The fee must equal one-twelfth of the annual higher registration fee less one-twelfth of the registration fee already paid, the difference multiplied by the number of whole and partial calendar months remaining in the registration period. In no event may the fee be less than five dollars.

39-04-24. Director to determine weight of motor vehicle when manufacturer's weight unknown.

Any motor vehicle not having an advertised manufacturer's weight shall pay a license fee based upon the actual weight as determined by the director from satisfactory proofs submitted to the director. Any truck not having a manufacturer's advertised load capacity shall pay a license fee in accordance with the schedules provided in this chapter and applicable thereto upon its load capacity as determined by the director upon satisfactory proofs submitted to the director.

39-04-25. When seasonal registration of passenger buses permitted.

Repealed by S.L. 1983, ch. 423, § 2.

39-04-26. Registration of vehicles transporting property - Based on registered gross weight - Minimum gross weight - Exemption.

The registration and license fee for a motor vehicle or for any lawful combination of motor vehicles used for the transportation of property must be based upon the registered gross weight of the motor vehicle or combination of vehicles. The minimum gross weight for which the motor vehicle or combination of motor vehicles can be licensed is double the unloaded weight of the motor vehicle or combination of vehicles and, subject to the minimum, the owner of any motor vehicle or combination of vehicles in the application for license shall set out the gross weight for which the owner desires a license. The gross weight of any trailer, semitrailer, or farm trailer may not be included in the minimum gross weight for which a vehicle must be licensed when the vehicle or combination of vehicles is not for hire and when the gross weight of the trailer, semitrailer, or farm trailer being towed does not exceed twenty-four thousand pounds [10886.22 kilograms].

39-04-27. Manufacturer or dealer to give notice of sale or transfer.

Repealed by S.L. 1975, ch. 328, § 1.

39-04-28. Motor vehicle and motorcycle dealers licenses - Fees - Additional number plates.

Repealed by S.L. 1963, ch. 285, § 14.

39-04-29. Certificate of title to be delivered.

Repealed by S.L. 1981, ch. 378, § 38.

39-04-30. Cancellation of licenses.

Repealed by S.L. 1963, ch. 285, § 14.

39-04-31. Bond required.
Repealed by S.L. 1963, ch. 285, § 14.

39-04-31.1. Imposing fees in lieu of truck-mile tax.
Repealed by omission from S.L. 1959, ch. 289, § 15.

39-04-32. Used car lots - Location.
Repealed by S.L. 1963, ch. 285, § 14.

39-04-33. Dealer permitting license to be used by another dealer - License revoked - Penalty.
Repealed by S.L. 1963, ch. 285, § 14.

39-04-34. Dealers to furnish information to registrar.
Repealed by S.L. 1963, ch. 285, § 14.

39-04-34.1. Transfer of certain powers to public service commission.
Repealed by S.L. 1953, ch. 237, § 7.

39-04-35. Dealer to file list of used cars with registrar - Fees paid on used cars by dealer.
Repealed by S.L. 1963, ch. 285, § 14.

39-04-36. Transfer of registered vehicle - Removal of number plates - Transfer of number plates.

1. Whenever the ownership of a vehicle registered under the provisions of this chapter, chapter 39-18, or chapter 39-29.2 is transferred or assigned, the registration of the vehicle expires and the transferor shall remove the number plates.
2. Upon applying for the transfer of the registration and paying a five dollar fee, a person who transfers or assigns to another person the ownership of a registered vehicle may receive credit for the unused portion of the fees paid for the transferred vehicle. The transferor must use a number plate previously removed pursuant to subsection 1, regardless of whether there is any license fee credit remaining. If the number plate has become lost, stolen, or mutilated, the transferor may apply for duplicate plates. The department may establish procedures that permit the transferor to assign the credit to the transferee if the transferor is the spouse, a sibling, or a lineal ancestor or descendant of the transferee. Any remaining credit on a vehicle owned by a leasing company must be credited to the lessee. One-twelfth of the annual fee must be credited for each month of the registration period remaining after the month in which the transfer is made. The credit may not extend beyond the original expiration of the registration. Except as provided in section 39-04-44, the credit must be applied to the registration fees for a replacement vehicle. The transferor shall apply for the transfer of registration within thirty days of the purchase of the replacement vehicle.
3. Except as otherwise permitted in this chapter, before the transferee of a registered vehicle may operate the vehicle on a highway, the transferee must apply for and obtain a new registration of the vehicle, as on an original registration. To provide the transferee adequate time to obtain a new registration, the director may provide for the issuance of a temporary registration certificate to permit the transferee to operate the vehicle for thirty days after the date of acquisition. The certificate must be printed on the reverse side of each vehicle registration card and must be available to the transferee from licensed vehicle dealers, law enforcement agencies, and motor vehicle branch offices. The vehicle may be operated for five days from date of purchase without a plate or certificate of ownership if dated evidence of ownership is carried in the vehicle. The evidence of ownership must be in a form as prescribed by the department.

39-04-37. Violations of registration provisions.

It is unlawful for any person to commit any of the following acts:

1. To operate, or for the owner thereof knowingly to permit anyone to operate, upon a highway any vehicle the registration of which has been canceled or revoked, or for which the registration fees required in this title have not been paid, or which does not have attached thereto and displayed thereon a number plate, plates, or validation tabs assigned thereto by the director for the current registration period, subject to the exemptions allowed in this title.
2. To display or cause or permit to be displayed, or to have in possession, any registration card, registration number plate, or validation tabs knowing the same to be fictitious or to have been canceled, revoked, suspended, or altered.
3. To lend any registration number plate, registration card, or validation tabs to any person not entitled thereto, or knowingly permit the use of any registration number plate or registration card by any person not entitled thereto.
4. To fail or refuse to surrender to the department, upon demand, any registration card, registration number plate, or validation tab which has been suspended, canceled, or revoked as is provided in this chapter.
5. To use a false or fictitious name or address in any application for the registration of any vehicle, or for any renewal or duplicate thereof, or knowingly to make a false statement or knowingly to conceal a material fact or otherwise to commit a fraud in any application.

39-04-38. Taxes or fees provided for to be in lieu of other state or local personal property taxes.

The taxes or fees provided for in this chapter are in lieu of all other personal property taxes, either state or local, upon such motor vehicles and upon any trailer or semitrailer for which a certificate of title is required to be issued and has been issued pursuant to the provisions of chapter 39-05.

39-04-39. Distribution of registration fees collected.

Any moneys in the registration fund accruing from license fees or from other like sources, in excess of the amount required to pay salaries and other necessary expenses, in accordance with the legislative assembly's appropriation for such purposes, must be promptly deposited in the highway tax distribution fund which must be distributed in the manner as prescribed by law. The state treasurer shall transfer annually from the highway tax distribution fund to the ethanol production incentive fund an amount equal to forty percent of all sums collected for the registration of farm vehicles under subsection 5 of section 39-04-19 except that no transfer may be made in an amount that would result in the balance of the ethanol production incentive fund exceeding seven million five hundred thousand dollars.

39-04-39.1. Distribution to local highway funds.

Repealed by S.L. 1967, ch. 304, § 8.

39-04-39.2. Refunds of registration fees.

No refunds of registration fees may be made, except when the vehicle has been improperly registered or when the vehicle has been destroyed.

39-04-39.3. Motor vehicle registration fee collection agreements with home rule cities.

The governing body of any incorporated city that has adopted the home rule provisions of chapter 40-05.1 and the department may enter into contractual agreements under which the department may collect any motor vehicle registration fees assessed by the city. Agreements entered into under this section must provide for an agreed-upon amount to be allowed the department for services rendered in connection with the collections. Any agreed-upon amount collected must be deposited in the motor vehicle registration fund. The department shall deposit with the state treasurer all money collected under this section and shall accompany each

remittance with a certificate showing the city for which it was collected. The state treasurer, quarterly, shall pay to the city auditors of the several cities the money to which they are entitled under this section.

39-04-39.4. Refund of registration fees.

Any owner of a motor vehicle, if such motor vehicle is returned to the manufacturer under the provisions of chapter 51-07, may claim a refund in the amount equal to the unused portion of the fee upon the vehicle, computed pro rata by the month, one-twelfth of the annual fee paid for each month of the registration period remaining after the month in which the vehicle was returned, provided the number plates and validation tabs issued for the vehicle are returned to the department.

39-04-39.5. Allocation of portion of registration fee.

Repealed by S.L. 2005, ch. 40, § 15.

39-04-40. Officers to enforce the provisions of chapter.

The highway patrol and all other road or police officers shall enforce the provisions of this chapter.

39-04-41. Penalty for violation of provisions of chapter.

Any person violating any of the provisions of this chapter for which another penalty is not specifically provided is guilty of a class B misdemeanor.

39-04-42. Construction contract truck registration - Penalty.

Repealed by S.L. 1975, ch. 106, § 673.

39-04-43. Antique automobile - License and fee.

Repealed by S.L. 1981, ch. 378, § 38.

39-04-44. Credits on destroyed vehicle.

1. Any owner of a motor vehicle licensed in this state, if such vehicle is permanently and involuntarily destroyed, may during the same year or following year claim a refund in an amount equal to the unused portion of the fee paid, less five dollars, upon the vehicle so destroyed, computed pro rata by the month, one-twelfth of the annual fee paid for each month of the year remaining after the month in which such vehicle was so destroyed, provided the number plates, registration card, and certificate of title are returned to the department. If the number plates or registration card assigned to the vehicle are destroyed, a refund may be obtained upon furnishing information of such fact satisfactory to the department. Upon receiving the certificate of title, the department shall issue a salvage certificate of title.
2. If a vehicle is withdrawn from a proportionally registered fleet during the period for which it is registered, the registrant of the fleet shall notify the department. The department may require surrender of cab cards and other identification devices with respect to the vehicle. If a vehicle is permanently withdrawn from a proportionally registered fleet because it has been destroyed, sold, or otherwise completely removed from the service of the fleet operator, the unused portion of the fees paid with respect to the vehicle must be applied against liability of the fleet operator for subsequent additions to the fleet during the registration year or for additional fees upon audit. If at the end of the registration year there remains an unused portion of fees paid with respect to the permanently withdrawn vehicles, the unused fees must be applied against registration fees for the registration year immediately following the year during which the vehicles were permanently withdrawn. The used portion of fees of a vehicle permanently withdrawn from a fleet is a sum equal to the amount paid with respect to the vehicle when it was first proportionally registered in the registration year, reduced by one-twelfth of the total annual proportional registration fee applicable to the vehicle

for each calendar month of the registration year including the month the notice of withdrawal is received by the department, except that no unused portion of fees of less than five dollars may be considered or applied. If an unused portion of fees cannot be applied against registration fees for the registration year immediately following, an application for refund of the unused portion may be made to the department, which shall adopt rules as may be required for payment of the refund.

39-04-44.1. Transporter's license and registration card.

A vehicle otherwise properly registered may be used for transporting other vehicles not registered provided that the transported vehicle has displayed a transporter's license plate and the transporting vehicle carries a transporter's registration card. The fee for the transporter's license plate and registration card is sixty-five dollars per year.

39-04-45. Driveaway transporter registration.

Repealed by S.L. 1963, ch. 265, § 7.

39-04-46. Driveaway transporter registration - Expiration.

Repealed by S.L. 1963, ch. 265, § 7.

39-04-47. Driveaway transporter registration - Display.

Repealed by S.L. 1963, ch. 265, § 7.

39-04-48. Driveaway transporter registration - Application.

Repealed by S.L. 1963, ch. 265, § 7.

39-04-49. Driveaway transporter registration - Fee.

Repealed by S.L. 1963, ch. 265, § 7.

39-04-50. Motor vehicle department powers.

Repealed by S.L. 1963, ch. 265, § 7.

39-04-51. Penalties.

Repealed by S.L. 1963, ch. 265, § 7.

39-04-52. Driveaway transport license fees - Effect.

Repealed by S.L. 1963, ch. 265, § 7.

39-04-53. Noncompliance - Effect.

Repealed by S.L. 1963, ch. 265, § 7.

39-04-54. Registration card - Issuance - Contents - Signing.

Upon registering a vehicle, the department shall issue to the owner a registration card which must set forth all of the following:

1. The date issued.
2. The registration number assigned to the vehicle.
3. A description of the registered vehicle, including either serial or identification number.
4. A space for the signature of the owner.
5. The name of the owner.
6. Other statements of fact as may be determined necessary by the department.

39-04-55. Registration card to be carried in or on vehicle - Inspection of card - Penalty.

The registration card issued for a vehicle must be carried in the driver's compartment of the vehicle or, in the case of a housetrailer or mobile home or a trailer or semitrailer, regardless of

when such vehicle was acquired, inside or on the vehicle, at all times while the vehicle is being operated upon a highway in this state. The card is subject to inspection by any peace officer or highway patrol officer. Any person violating this section must be assessed a fee of twenty dollars. However, a person cited for violation of this section may not be found to have committed the violation if the person, within forty-eight hours after being cited, produces and displays to any peace officer or highway patrol officer, or to the hearing official before whom the person was to appear, a registration card valid at the time the person was cited. A peace officer or highway patrol officer, upon citing a person for violating this section, shall inform the person that a violation will be considered as not having occurred if the person produces and displays a valid registration card in the manner provided in this section. A peace officer or highway patrol officer receiving evidence of the existence of a valid registration card as herein provided shall notify the hearing official of the appropriate jurisdiction of that fact.

39-04-56. Altering or forging registration card - Penalty.

It is a class C felony for any person to:

1. Alter with fraudulent intent any registration card issued by the department;
2. Forge or counterfeit any registration card purporting to have been issued by the department under the provisions of this chapter;
3. Alter or falsify with fraudulent intent or forge any assignment of a registration card; or
4. Use any registration card, or assignment, knowing the same to have been altered, forged, or falsified.