

Fifty-eighth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1359

Introduced by

Representatives Thorpe, DeKrey, M. Klein

Senators O'Connell, Seymour, Trenbeath

1 A BILL for an Act to create and enact a new section to chapter 39-22 of the North Dakota
2 Century Code, relating to collector motor vehicle auctions; and to amend and reenact section
3 39-22-21 of the North Dakota Century Code, relating to the sale of consignment vehicles.

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

5 **SECTION 1.** A new section to chapter 39-22 of the North Dakota Century Code is
6 created and enacted as follows:

7 **Collector motor vehicle auctions.**

- 8 1. A person may engage in the business of conducting a collector motor vehicle
9 auction without obtaining a motor vehicle dealer's license as otherwise required by
10 this chapter if:
- 11 a. Each motor vehicle sold or offered for sale at the auction is a collector,
12 antique, or special interest vehicle;
 - 13 b. The sale is open to the public;
 - 14 c. The person conducts no more than two collector motor vehicle auctions per
15 year;
 - 16 d. The site of the auction is located on property zoned or otherwise approved for
17 this purpose by the appropriate zoning authority; and
 - 18 e. The auction lasts no more than two days.
- 19 2. Collector motor vehicle auctions that comply with this section may be conducted
20 any day of the week and sections 39-22-07.1 and 39-22-20 do not apply to motor
21 vehicle dealers who participate in collector motor vehicle auctions.
- 22 3. A collector motor vehicle is a vehicle that is at least twenty-five years old; an
23 antique motor vehicle is a vehicle that is at least forty years old; and a special

1 interest vehicle is a vehicle that has an appreciating value because of rarity,
2 originality, or limited production of an anniversary edition.

3 **SECTION 2. AMENDMENT.** Section 39-22-21 of the North Dakota Century Code is
4 amended and reenacted as follows:

5 **39-22-21. Consignment vehicles - Penalty.** A motor vehicle dealer may sell a motor
6 vehicle consigned to the dealer by a motor vehicle owner, except when the owner is a licensed
7 motor vehicle dealer, under the terms of a consignment contract between the owner and the
8 dealer. However, a motor vehicle dealer may sell a collector motor vehicle consigned to the
9 dealer by an owner that is a licensed motor vehicle dealer. The consignment contract form
10 must specify the terms of the agreement between the owner and the dealer, specify the
11 location of the motor vehicle certificate of title, and must be approved by the department. ~~Any~~
12 A person violating this section must be assessed a one hundred dollar fee by the department
13 for a first violation and a two hundred dollar fee by the department for a second violation within
14 two years of the first violation. The department shall revoke the license of a motor vehicle
15 dealer licensed under this chapter if a third or subsequent violation of this section occurs within
16 five years of the first violation.