

Introduced by

Senators Grabinger, Hogue, Nelson

Representatives Karls, Klemin, M. Nelson

1 A BILL for an Act to amend and reenact section 14-08.1-07 of the North Dakota Century Code,
2 relating to notice of motor vehicle operator's license restriction for nonpayment of child support.

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

4 **SECTION . AMENDMENT.** Section 14-08.1-07 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **14-08.1-07. ~~Suspension~~Restriction of motor vehicle operator's license for**
7 **nonpayment of child support or failure to obey subpoena.**

8 When considering a contempt citation against a child support obligor who is in arrears in
9 child support in an amount greater than three times the monthly child support obligation and the
10 obligor is not current in a court-established plan to repay the unpaid child support arrears, or
11 who has failed, after receiving appropriate notice, to comply with a subpoena relating to a
12 paternity or child support matter, the court shall determine whether the obligor has a motor
13 vehicle operator's license issued under chapter 39-06. The court may restrict ~~or suspend~~ a
14 motor vehicle operator's license issued by the state which is held by the obligor. A court order to
15 restrict a motor vehicle operator's license under this section must provide the obligor with at
16 least two weeks actual notice of the impending restriction. The court shall notify the department
17 of transportation of the court's decision to restrict ~~or suspend~~ an obligor's motor vehicle
18 operator's license. The department of transportation shall give the obligor notice of the court's
19 decision to restrict the obligor's motor vehicle license by certified mail no later than two weeks
20 before the restriction becomes effective. An appeal by an obligor who has had a motor vehicle
21 operator's license restricted ~~or suspended~~ under this section is an appeal from the court's order
22 and may not be appealed to the department of transportation. Except for statistical purposes, an
23 entry on the driving record or abstract of a restriction ~~or suspension~~ under this section after the
24 restriction ~~or suspension~~ ceases may not be available to the public other than by order of a

Sixty-fifth
Legislative Assembly

- 1 court of competent jurisdiction. A suspension under this section is not subject to the financial-
- 2 responsibility reporting requirements.