

**Sixty-fifth Legislative Assembly of North Dakota  
In Regular Session Commencing Tuesday, January 3, 2017**

SENATE BILL NO. 2108  
(Transportation Committee)  
(At the request of the Department of Transportation)

AN ACT to amend and reenact section 39-06-37, subsection 2 of section 39-06.1-10, and section 39-06.1-14 of the North Dakota Century Code, relating to a revoked or suspended operator's license.

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

**SECTION 1. AMENDMENT.** Section 39-06-37 of the North Dakota Century Code is amended and reenacted as follows:

**39-06-37. ~~Surrender and return of license~~ Duration of multiple suspensions and revocations for separate violations.**

- ~~1. The director upon canceling or revoking an operator's license shall require that the license must be surrendered to and be retained by the director.~~
2. A suspension, revocation, or cancellation ordered under this title must be deemed to have commenced when the order is delivered to the licensee at the address of record in the department under section 39-06-20. Constructive delivery under this section must be considered as occurring forty-eight hours after the order is mailed to the person by regular mail.
- ~~3.2.~~ Unless otherwise specifically provided in this title, any suspension, revocation, cancellation, or denial of licensing ordered under this title must be in addition to, and run consecutive to, any other or existing suspension, revocation, cancellation, or denial of licensing ordered for a separate violation.

**SECTION 2. AMENDMENT.** Subsection 2 of section 39-06.1-10 of the North Dakota Century Code is amended and reenacted as follows:

2. If the director confirms, after hearing or opportunity for hearing, that the licensee's driving record has an accumulated point total of twelve or more points, the director shall suspend the licensee's operator's license according to the following schedule:

Accumulated Point Total:

Period of Suspension:

a. Twelve

7 days

b. Thirteen and above

7 days for each point over eleven

~~Surrender and return of a license suspended under this section is governed by section 39-06-37.~~

**SECTION 3. AMENDMENT.** Section 39-06.1-14 of the North Dakota Century Code is amended and reenacted as follows:

**39-06.1-14. ~~Failure to surrender~~Delivery of license revocation.**

~~The director shall extend the period of revocation in all cases that involve a time period, within this title, if the individual whose operator's license has been revoked fails to surrender the operator's license within forty-eight hours after delivery of the order of revocation. The period of revocation must be extended by one day for each day the individual fails to surrender the operator's license. Delivery of the~~

order of revocation is deemed to have occurred seventy-two hours after the order is mailed by regular mail to the address of record in the department under section 39-06-20.

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President of the Senate

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Speaker of the House

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Secretary of the Senate

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Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-fifth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2108.

Senate Vote:    Yeas 46            Nays 0            Absent 1

House Vote:    Yeas 90            Nays 0            Absent 4

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Secretary of the Senate

Received by the Governor at \_\_\_\_\_ M. on \_\_\_\_\_, 2017.

Approved at \_\_\_\_\_ M. on \_\_\_\_\_, 2017.

\_\_\_\_\_  
Governor

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 2017,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State