

SENATE BILL NO. 2129

Introduced by

Senators D. Larson, Poolman

Representatives Heinert, Lefor

1 A BILL for an Act to create and enact a new paragraph to subdivision a of subsection 3 of
2 section 39-06.1-10 and a new section to chapter 39-08 of the North Dakota Century Code,
3 relating to entries against a driving record and prohibiting a minor from riding within the open
4 bed of a truck; to amend and reenact section 39-06.1-09 of the North Dakota Century Code,
5 relating to moving violations; and to provide a penalty.

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

7 **SECTION 1. AMENDMENT.** Section 39-06.1-09 of the North Dakota Century Code is
8 amended and reenacted as follows:

9 **39-06.1-09. Moving violation defined.**

10 For the purposes of sections 39-06.1-06 and 39-06.1-13, a "moving violation" means a
11 violation of section 39-04-22, subsection 1 of section 39-04-37, section 39-04-55, 39-06-01,
12 39-06-14, 39-06-14.1, 39-06-16, 39-08-20, 39-08-23, 39-08-24, 39-08-25, section 3 of this Act,
13 39-09-01, 39-09-01.1, 39-09-04.1, or 39-09-09, subsection 1 of section 39-12-02, section
14 39-12-04, 39-12-05, 39-12-06, 39-12-09, 39-21-45.1, 39-24-02, or 39-24-09, except
15 subdivisions b and c of subsection 5 of section 39-24-09, or equivalent ordinances; or a
16 violation of the provisions of chapter 39-10, 39-10.2, or 39-21, or equivalent ordinances, except
17 subsection 5 of section 39-10-26, section 39-21-44, and subsections 2 and 3 of section
18 39-21-46, and those sections within those chapters which are specifically listed in subsection 1
19 of section 39-06.1-08.

20 **SECTION 2.** A new paragraph to subdivision a of subsection 3 of section 39-06.1-10 of the
21 North Dakota Century Code is created and enacted as follows:

22 Operating a motor vehicle with an individual under the 1 point
23 age of eighteen in the bed of a truck in violation of
24 section 3 of this Act

1 **SECTION 3.** A new section to chapter 39-08 of the North Dakota Century Code is created
2 and enacted as follows:

3 **Passenger riding within bed of truck prohibited - Exceptions.**

- 4 1. A driver of a motor vehicle may not have an individual under the age of eighteen in the
5 open bed of a truck or on the bed of a flatbed truck while driving the motor vehicle on a
6 highway, road, street, alley, sidewalk, or any public or private parking lot area.
- 7 2. A driver may be issued only one citation per violation of this section.
- 8 3. This section does not apply to a motor vehicle being driven:
- 9 a. In the course of farming or ranching;
- 10 b. In a parade authorized by a local authority;
- 11 c. In a military or civil defense drill or exercise; or
- 12 d. In the course of a medical emergency.