

Sixty-seventh
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1368

Introduced by

Representatives O'Brien, Westlund

Senators Kreun, Patten

1 A BILL for an Act to create and enact section 51-07-28.1 of the North Dakota Century Code,
2 relating to tracking devices on motor vehicles; and to provide a penalty.

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

4 **SECTION 1.** Section 51-07-28.1 of the North Dakota Century Code is created and enacted
5 as follows:

6 **51-07-28.1. Tracking devices on motor vehicles - Disclosure - Removal - Penalty.**

7 1. A lender may not require a person to install or maintain a global tracking or positioning
8 system or device on a motor vehicle for the purpose of locating or tracking the vehicle
9 to repossess the vehicle in case of loan default, unless:

10 a. The lender includes within the financing contract, in a clear and conspicuous
11 manner, information on the installation or placement of the system or device;

12 b. The system or device is installed at no cost to the buyer; and

13 c. The system or device is removed within sixty days of the loan for the motor
14 vehicle being paid in full at:

15 (1) The expense of the seller or lender; and

16 (2) A location agreed upon by the seller or lender and buyer.

17 2. A lender that violates this section is subject to a fine of not more than five hundred
18 dollars. In the case of a second or subsequent violation of this section, the lender is
19 subject to a fine of not less than one thousand dollars nor more than two thousand
20 dollars.