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## FIRST ENGROSSMENT

Sixty-seventh Legislative Assembly of North Dakota

## **ENGROSSED HOUSE BILL NO. 1368**

Introduced by

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Representatives O'Brien, Westlind

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 as follows:
- 6 <u>51-07-28.1. Tracking devices on motor vehicles Disclosure Removal Penalty.</u>
- A lender may not require a person to install or maintain a global tracking or positioning
   system or device on a motor vehicle for the purpose of locating or tracking the vehicle
   to repossess the vehicle in case of loan default, unless:
  - a. The lender includes within the financing contract, in a clear and conspicuous manner, information on the installation or placement of the system or device;
    - b. The system or device is installed at no cost to the buyer; and
- 13 <u>c.</u> The system or device is removed within sixty days of the loan for the motor

  14 <u>vehicle being paid in full at:</u>
  - (1) The expense of the seller or lender; and
  - (2) A location agreed upon by the seller or lender and buyer.
  - 2. A lender that violates this section is subject to a fine of not more than five hundred dollars. In the case of a second or subsequent violation of this section, the lender is subject to a fine of not less than one thousand dollars nor more than two thousand dollars.