

Introduced by

Senators Schaible, Cook, Unruh

Representatives Nathe, Schmidt

1 A BILL for an Act to amend and reenact sections 39-04-36 and 39-04-39.2 of the North Dakota
2 Century Code, relating to the return of vehicle registration fees; and to provide an effective date.

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

4 **SECTION 1. AMENDMENT.** Section 39-04-36 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **39-04-36. Transfer of registered vehicle - Removal of number plates - Transfer of**
7 **number plates.**

- 8 1. Whenever the ownership of a vehicle registered under the provisions of this chapter or
9 chapter 39-18 is transferred or assigned, the registration of the vehicle expires and the
10 transferor shall remove the number plates.
- 11 2. Upon applying for the transfer of the registration and paying a five dollar fee, a person
12 who transfers or assigns to another person the ownership of a registered vehicle may
13 receive credit for the unused portion of the fees paid for the transferred vehicle. The
14 transferor must use a number plate previously removed ~~pursuant to~~ under
15 subsection 1, regardless of whether there is any license fee credit remaining. If the
16 number plate has become lost, stolen, or mutilated, the transferor may apply for
17 duplicate plates. The department may establish procedures that permit the transferor
18 to assign the credit to the transferee if the transferor is the spouse, a sibling, or a lineal
19 ancestor or descendant of the transferee. Any remaining credit on a vehicle owned by
20 a leasing company must be credited to the lessee. ~~One-twelfth~~ After the month of the
21 transfer, one-twelfth of the annual fee must be credited for each month of the
22 remaining registration period ~~remaining after the month in which the transfer is made.~~
23 The credit may not extend beyond the original expiration of the registration. Except
24 as for a refund provided in section 39-04-44 or this section, the credit must be applied

1 to the registration fees for a replacement vehicle. The transferor shall apply for the
2 transfer of registration within thirty days of the purchase of the replacement vehicle.

3 3. Upon an application, the payment of a ~~five~~twenty dollar fee, and the return of the
4 number plates to the department, a person may apply for a refund of registration fees
5 on the transfer of a vehicle if there is not a replacement vehicle for which to transfer a
6 credit. After the month of the transfer, one-twelfth of the annual fee must be refunded
7 for each month of the remaining registration period. The applicant for a refund shall
8 apply for the refund within thirty days of the transfer of the vehicle.

9 4. Except as otherwise permitted in this chapter, before the transferee of a registered
10 vehicle may operate the vehicle on a highway, the transferee must apply for and
11 obtain a new registration of the vehicle, as on an original registration. To provide the
12 transferee adequate time to obtain a new registration, the director may provide for the
13 issuance of a temporary registration certificate to permit the transferee to operate the
14 vehicle for thirty days after the date of acquisition. The certificate must be printed on
15 the reverse side of each vehicle registration card and must be available to the
16 transferee from licensed vehicle dealers, law enforcement agencies, and motor vehicle
17 branch offices. The vehicle may be operated for five days from date of purchase
18 without a plate or certificate of ownership if dated evidence of ownership is carried in
19 the vehicle. The evidence of ownership must be in a form as prescribed by the
20 department.

21 **SECTION 2. AMENDMENT.** Section 39-04-39.2 of the North Dakota Century Code is
22 amended and reenacted as follows:

23 **39-04-39.2. Refunds of registration fees.**

24 ~~No refunds~~A refund of registration fees may not be made, except when~~unless~~ the vehicle
25 has been transferred and a credit is not used, the vehicle has been improperly registered, or
26 ~~when~~ the vehicle has been destroyed.

27 **SECTION 3. EFFECTIVE DATE.** This Act becomes effective on July 1, 2014.