

## NORTH DAKOTA

### **Definitions**

**Antique Motor Vehicle.** A vehicle which is at least forty years old.

**Collector's Motor Vehicle.** A motor vehicle that is at least twenty-five years old but that is not eligible for registration as an antique motor vehicle. The vehicle is eligible for collector's registration if it is owned and operated solely as a collector's item and if the owner owns another motor vehicle the owner uses for general transportation. Vehicles registered as collector's vehicles may only be operated on public streets and highways for the purpose of driving the vehicle to and from active entry and participation in parades, car shows, car rallies, other public gatherings held for the purpose of displaying or selling the vehicle, and to and from service or storage facilities.

**Parts car.** A motor vehicle generally in nonoperable condition which is owned by the collector to furnish parts to restore, preserve, and maintain a special interest vehicle or antique vehicle.

**Reconstructed vehicle.** Any vehicle, of a type required to be registered, materially altered from its original construction by the removal, addition, or substitution of new or used essential parts.

**Specially constructed vehicle.** Any vehicle which was not constructed originally under the distinct name, make, model, or type by a generally recognized manufacturer of vehicles.

**Special interest vehicle.** A motor vehicle which is at least twenty years old and which has not been altered or modified from original manufacturer's specifications and, because of its historic interest, is being preserved by hobbyists.

**Vital component parts.** Those parts of a motor vehicle that are essential to the mechanical functioning of the vehicle, including, but not limited to, the motor, drive train, and wheels.

## **Titling & Registration**

### **From North Dakota Motor Vehicle Division:**

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#### **ANTIQUÉ: 39-04-10.4 (NDCC)**

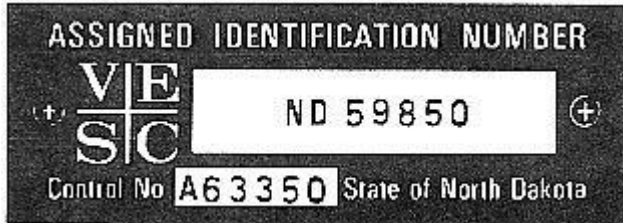
- A. Vehicle must be 40 years old or older. (Cars, trucks, motorcycles, and motor homes.)
- B. License fee is \$10, plus \$1 unsatisfied judgment fee, if applicable. (See Unsatisfied Judgment.) Antique plates are issued.
- C. Title fee is \$5.
- D. Abandoned vehicle fee of \$1.50 applies upon initial application for North Dakota title.
- E. Motor vehicle excise tax (5%) must be remitted when applying for a title.
- F. Bill of Sale (SFN 2888) and Inspection Form (SFN 2486) may be used as proof of ownership if no title is available.
- G. License is valid for life of vehicle.
- H. Personalized plates may be purchased for a onetime fee of \$100.
- I. License plates from the year of manufacture of the vehicle or in the case of military vehicles, military identification numbers may be displayed in lieu of the antique plates issued by the division. The license plates from the year of manufacture or military identification numbers must be clean and legible and must be restored and approved by the division. The plate number from the year of manufacture or military identification numbers must be greater than 10,000 and may not be duplicated.
- J. Vehicles registered as antiques may not be used in the routine functions of a business or farming operations.

#### **COLLECTOR VEHICLE: 39-04-10.6 (NDCC)**

- A. Vehicle must be 25 years old or older. Collector vehicles can only be operated on public streets and highways for the purpose of driving the vehicle to and from active entry and participation in parades, car shows, car rallies, other public gatherings held for the purpose of displaying or selling the vehicle, and to and from service or storage facilities.
- B. License fee is \$60, plus \$1 unsatisfied judgment fee, if applicable. Personalized plates are available for a onetime fee of \$160. (See Unsatisfied Judgment & Personalized Plates.) Collector plates are issued.
- C. Title fee is \$5.
- D. Abandoned vehicle fee of \$1.50 applies upon initial application for North Dakota title. (See Abandoned Vehicle Fee.)
- E. Motor vehicle excise tax (5%) must be remitted when applying for a title.
- F. When registering a collector vehicle the applicant shall file an affidavit (SFN 16783) with the division which states the owner's name and address, the make, year, and the manufacturer's identification number of the vehicle, and a statement that the vehicle is owned and operated solely as a collector's item and not for general transportation purposes.
- G. License plates from the year of manufacture of the vehicle may be displayed in lieu of the collector plates issued by the division. The license plates from the year of manufacture must be clean and legible and must be restored and approved by the division. The plate number must be greater than 10,000 and may not be duplicated.
- H. PENALTY: Any person violating this section or a department rule regarding this section forfeits the right to the registration provided in this section and any registration fees that have been paid.

**REBUILT OR RECONSTRUCTED VEHICLES: 39-01-01 Subsection 61, 39-04-02 Subsection 2, 39-05-05 Subsection 1(f), 39-21-45.1 (NDCC)**

- A. A rebuilt vehicle must be inspected by an officer of the North Dakota Highway Patrol and the officer must complete a Certificate of Vehicle Inspection (SFN 2486).
- B. Bills of sale and/or titles for major parts must accompany SFN 2872. If a title is not available, procedures outlined in Chapter 37-12-04 of the North Dakota Administrative Code must be followed. (See Untitled Vehicles.)
- C. License fees are based on type of vehicle being rebuilt. Use the proper fee schedule, plus \$1 unsatisfied judgment fee, if applicable. (See Unsatisfied Judgment.)
- D. Title fee is \$5.
- E. Abandoned vehicle fee of \$1.50 applies upon initial application for North Dakota title.
- F. Motor vehicle excise tax (5%) must be remitted when applying for a title.
- G. A North Dakota vehicle identification number (VIN) may be issued to a rebuilt vehicle and must be stamped in a designated place and verified by an officer of the North Dakota Highway Patrol (SFN 2486).



**UNCONVENTIONAL VEHICLES: 39-29.2 (NDCC)**

- A. —Unconventional vehicle is a motor vehicle designated to travel on at least three wheels in contact with the ground, have an unladen weight of at least three hundred pounds [136.08 kilograms] but less than eight thousand pounds [3628.7 kilograms], has a permanent upright seat or saddle mounted at least twenty-four inches [50.8 centimeters] from the ground, has a steering control, capable of speeds excess of sixty-five miles [104.61 kilometers] per hour, and complies with equipment requirements listed in either chapter 39-21 or 39-27 as appropriate. This does not include motor vehicles that otherwise may be registered under this title.
- B. An operator must be a licensed driver to operate an unconventional vehicle on a highway. An operator may operate an unconventional vehicle on any highway except an access-controlled highway.
- C. License fee is \$50, plus \$1 unsatisfied judgment, if applicable. (See Unsatisfied Judgment.) Unconventional plates are issued. Registration expires in December of the current year. License plates remain with the vehicle when sold.
- D. Personalized plates may be issued. An annual fee of \$25 is due. (See Personalized Plates.)
- E. Title fee is \$5.
- F. Abandoned vehicle fee of \$1.50 applies upon initial application for North Dakota title.
- G. Motor Vehicle excise tax (5%) must be remitted when applying for a title.
- H. Damage disclosure and odometer certification are NOT required.

**UNTITLED VEHICLES: 52-07-01 (NDAC)**

If a North Dakota resident owns a vehicle for which the resident is unable to obtain a proper certificate of title, the Motor Vehicle Division will use the following forms and procedures to determine ownership of a vehicle and issue a certificate of title:

- A. A check of record of the North Dakota Motor Vehicle Division, as well as the records of other appropriate states, will be conducted to determine if a certificate of title has previously been issued.
- B. If no record of a previous certificate of title is found, the division will issue a North Dakota certificate of title to the applicant upon receipt of:
  - (1) A notarized bill of sale (SFN 2888).
  - (2) A statement of facts from the applicant (SFN 2903).
  - (3) An inspection of the vehicle by the North Dakota Highway Patrol (SFN 2486).
  - (4) Appropriate title fee, license fees, and motor vehicle excise tax (5%).
- C. In all cases where there is no record of a previous title, the division will check the National Crime Information Center (NCIC) computer to determine that the vehicle is not listed as a stolen vehicle.
- D. If a record of a previous certificate of title is found, the division will advise the applicant of the name and address of the last owner of the vehicle but will take no further action to issue a certificate of title. The applicant must obtain the certificate of title from the last owner.

## From North Dakota Century Code:

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### TITLE 39 Motor Vehicles CHAPTER 39-05 Title Registration

N.D. Cent. Code, § 39-05-05 (2016)

#### **39-05-05. Application for certificate of title -- Contents -- Fee.**

**1.** An application for a certificate of title must be made upon a form provided by the department and must contain all of the following:

**a.** A full description of the vehicle, including the name of the manufacturer, either the engine, serial, or identification number, and any other distinguishing marks. The department may assign a vehicle identification number for a vehicle not otherwise assigned a number. The assigned number must be permanently affixed to the vehicle and the department may require the vehicle be inspected before issuing a certificate of title for the vehicle.

**b.** A statement as to whether the vehicle is new or used.

**c.** A statement of the applicant's title and the name and address of each lienholder in the order of priority.

**d.** The name and address of the person to whom the certificate of title must be delivered.

**e.** If applicable, a statement as to whether the **vehicle** is a **specially constructed, reconstructed,** or foreign **vehicle**.

**f.** The owner's legal name, as evidenced by a valid state-issued driver's license, identity card, or any other documentary evidence that confirms to the satisfaction of the director the true identity of the owner, street address, city, and county, or township and county, of residence. When two or more owners are designated, at least one of the owners must comply with the identification requirement of this subdivision and all names used must be legal names. A dealer shall make specific inquiry as to this information before filling in the information on the application.

**g.** The department may require odometer disclosure information as required under the Truth in Mileage Act of 1986 [Pub. L. 99-579].

**h.** Any other information required by the department.

**2.** The owner of every vehicle that has been registered outside this state shall surrender to the department the certificate of title and registration card or other evidence that may satisfy the department the applicant is the lawful owner or possessor of the vehicle.

**3.** If the vehicle for which certificate of title is sought is a new vehicle, a certificate of title may not be issued unless a certificate of origin executed by the manufacturer of the vehicle is attached to the application for registration or is attached to the application for the certificate of title for the vehicle. If the new vehicle for which certificate of title is sought is of foreign manufacture, the certificate of origin must be furnished by the importer of the vehicle. The manufacturer or importer of all new vehicles shall designate the total shipping weight of the vehicle on the certificate of origin.

**4.** When a new vehicle is purchased from a dealer, the application for the certificate of title must include a statement of the transfer by the dealer.

**5.** Each application must be accompanied by a fee of five dollars, which is in addition to any fee charged for the registration of the vehicle.

TITLE 39 Motor Vehicles  
CHAPTER 39-04 Motor Vehicle Registration

N.D. Cent. Code, § 39-04-02 (2016)

**39-04-02. Application for the registration of a vehicle -- Contents -- Penalty.**

Application for the registration of a vehicle must be made as provided in this section:

**1.** Application must be made by the owner thereof using the legal name as evidenced by a valid state-issued driver's license, identity card, or any other documentary evidence that confirms to the satisfaction of the director the true identity of the owner, upon appropriate forms approved or furnished by the department, and every application must be signed by the owner and must contain the owner's county of residence, address, and a brief description of the vehicle to be registered, including the name of the maker, either the engine, serial, or identification number, if any, whether new or used, and the last license number known, and the state in which issued, and, upon the registration of a new vehicle, the date of sale by the manufacturer or dealer to the person first operating the vehicle. When two or more owners are designated, at least one of the owners must comply with the identification requirement in this subsection and all names used must be legal names. The application must contain other information as may be required by the department.

**2.** If the vehicle for which registration is sought is a **specially constructed, reconstructed,** or foreign **vehicle,** the facts must be stated in the application. The owner of every vehicle which has been registered outside this state shall exhibit to the department the certificate of the title and registration card or other evidence as will satisfy the department that the applicant is the lawful owner or possessor of the vehicle.

**3.** If the vehicle for which registration is sought is a new vehicle, no registration may be issued unless a certificate of origin executed by the manufacturer of such vehicle is attached to the application for registration or is attached to the application for the certificate of title for such vehicle. If the new vehicle for which registration is sought is of foreign manufacture, the certificate of origin must be furnished by the importer of such vehicle. The manufacturer or importer of all new vehicles shall designate the total shipping weight of the vehicle on the certificate of origin.

**4.** In applying for registration the buyer shall state the buyer's post-office address and county and city or township of residence and the dealer shall make specific inquiry relative thereto before completing the application.

**5.** If the registration is for a semitrailer tank designated as MC306, MC307, MC312, MC330, MC331, or MC338, the applicant must show, upon request by an officer of the highway patrol, the status of compliance with hazardous material rules of the United States department of transportation or of this state. Violation of this subsection is punishable by a fine of one hundred dollars.

TITLE 39 Motor Vehicles  
CHAPTER 39-04 Motor Vehicle Registration

N.D. Cent. Code, § 39-04-10.4 (2016)

**39-04-10.4. Antique motor vehicles -- License and fee -- Use.**

**1.** Any motor vehicle which is at least forty years old may be permanently licensed by the department upon the payment of a registration fee of ten dollars. The department shall design and issue a distinctive number plate for this purpose. In lieu of the distinctive number plate, the owner of the motor vehicle may, at the discretion of the director, display on the motor vehicle a number plate from the year in which the motor vehicle was manufactured or in the case of military vehicles, military identification numbers. The number plate from the year of manufacture or military identification numbers may not be used in lieu of a distinctive number plate when it would create a duplication of a number in the recordkeeping system of the department. A number plate from the year of manufacture or military identification numbers must be legible and must be restored to the satisfaction of the department. Notwithstanding [section 39-04-11](#), only one number plate needs to be displayed on a motor vehicle licensed under this subsection. Motor vehicles registered under the provisions of this section may not be used in the routine functions of a business or farming operation.

**2.** Any motor vehicle which is at least forty years old may, if not licensed under subsection 1, be permanently licensed using a personalized plate issued under [section 39-04-10.3](#), in which case a one-time fee of one hundred dollars is due.

TITLE 39 Motor Vehicles  
CHAPTER 39-04 Motor Vehicle Registration

N.D. Cent. Code, § 39-04-10.6 (2016)

**39-04-10.6. Registration of motor vehicles owned by collectors.**

A person who owns a motor vehicle that is at least twenty-five years old but that is not eligible for registration under [section 39-04-10.4](#) may register that motor **vehicle** as a **collector's** motor **vehicle**. The motor **vehicle** is eligible for **collector's** registration if it is owned and operated solely as a collector's item and if the owner owns another motor vehicle the owner uses for general transportation. A motor **vehicle** qualifies as a **collector's** item under this section only if it is operated on public streets and highways for the purpose of driving the vehicle to and from active entry and participation in parades, car shows, car rallies, other public gatherings held for the purpose of displaying or selling the vehicle, and to and from service or storage facilities. An applicant for registration of a **vehicle** as a **collector's** motor **vehicle** shall file an affidavit with the director that states the owner's name and address, the make, year, and the manufacturer's identification number of the motor vehicle, and a statement that the motor vehicle is owned and operated solely as a collector's item and not for general transportation purposes. If the director is satisfied that the affidavit is true and correct, the director shall register the motor **vehicle** as a **collector's** motor **vehicle** on the payment of a registration fee of sixty dollars. The registration is valid as long as the **collector's** motor **vehicle** is owned by the person who applied for the registration under this section. The director shall design and issue distinctive number plates for **collector's** motor **vehicles** registered under this section. In lieu of the distinctive number plates, the owner of the motor vehicle, at the discretion of the director, may display on the motor vehicle number plates from the year in which the motor vehicle was manufactured. The number plates from the year of manufacture may not be used in lieu of distinctive number plates when it would create a duplication of a number in the recordkeeping system of the department. Number plates from the year of manufacture must be legible and must be restored to the satisfaction of the department. A person violating this section or a department rule regarding this section forfeits the right to the registration provided in this section and any registration fees that have been paid.

TITLE 57 Taxation  
CHAPTER 57-40.3 Motor Vehicle Excise Tax

N.D. Cent. Code, § 57-40.3-04 (2016)

**57-40.3-04. Exemptions.**

There are specifically exempted from the provisions of this chapter and from computation of the amount of tax imposed by it the following:

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**9.** Any motor vehicle registered under chapter 39-04 for the first time by a person other than a manufacturer of motor vehicles, as defined in [section 39-01-01](#), who **assembled** the motor **vehicle** for that person's own use.

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## **Equipment Exemptions**

### **From North Dakota Century Code:**

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TITLE 39 Motor Vehicles  
CHAPTER 39-21 Equipment of Vehicles

N.D. Cent. Code, § 39-21-06 (2016)

#### **39-21-06. Stop lamps and turn signals required on new motor vehicle.**

**1.** No person may sell or offer for sale or operate on the highways any motor vehicle registered in this state and manufactured or assembled after January 1, 1964, unless it is equipped with at least two stop lamps meeting the requirements of [section 39-21-19](#), except that a **truck** tractor manufactured or **assembled** after January 1, 1964, must be equipped with at least one stop lamp meeting the requirements of [section 39-21-19](#).

**2.** No person may sell or offer for sale or operate on the highways any motor vehicle, trailer, or semitrailer registered in this state and manufactured or assembled after January 1, 1952, unless it is equipped with electrical turn signals in good working order, meeting the requirements of [section 39-21-19](#). This subsection does not apply to any trailer or semitrailer of less than three thousand pounds [1360.78 kilograms] gross weight.

TITLE 39 Motor Vehicles  
CHAPTER 39-21 Equipment of Vehicles

N.D. Cent. Code, § 39-21-11 (2016)

**39-21-11. Visibility of reflectors, clearance lamps, and marker lamps.**

**1.** Every reflector upon any vehicle referred to in [section 39-21-08](#) must be of such size and characteristics and so maintained as to be readily visible at nighttime from all distances within six hundred feet [182.88 meters] to one hundred feet [30.48 meters] from the vehicle when directly in front of lawful lower beams of headlamps, except that the visibility for reflectors on **vehicles** manufactured or **assembled** prior to January 1, 1970, must be measured in front of lawful upper beams of headlamps. Reflectors required to be mounted on the sides of the vehicle must reflect the required color of light to the sides, and those mounted on the rear must reflect a red color to the rear.

**2.** Front and rear clearance lamps must be capable of being seen and distinguished under normal atmospheric conditions at the times lights are required at a distance of five hundred feet [152.4 meters] from the front and rear, respectively, of the vehicle.

**3.** Side marker lamps must be capable of being seen and distinguished under normal atmospheric conditions at the times lights are required at a distance of five hundred feet [152.4 meters] from the side of the vehicle on which mounted.

TITLE 39 Motor Vehicles  
CHAPTER 39-21 Equipment of Vehicles

N.D. Cent. Code, § 39-21-41 (2016)

**39-21-41. Safety glazing material in motor vehicles.**

**1.** No person may sell any new motor vehicle, nor may any new motor vehicle be registered, unless it is equipped with safety glazing material of a type approved by the department wherever glazing material is used in doors, windows, and windshields. The foregoing provisions shall apply to all passenger-type motor vehicles, including passenger buses and schoolbuses, but in respect to trucks, including truck tractors, the requirements as to safety glazing material apply to all glazing material used in doors, windows, and windshields in the drivers' compartment.

**2.** The term "safety glazing materials" means glazing materials so constructed, treated, or combined with other materials as to reduce substantially, in comparison with ordinary sheet glass or plate glass, the likelihood of injury to persons by objects from exterior sources or by these safety glazing materials when they may be cracked or broken.

**3.** The department shall maintain a list of types of glazing material by name approved by it as meeting the requirements of this section and may not register after January 1, 1964, any motor vehicle which is subject to the provisions of this section unless it is equipped with an approved type of safety glazing material, and it shall thereafter suspend the registration of any motor vehicle subject to this section which it finds is not equipped until it is made to conform to the requirements of this section. The requirements of this section do not apply to **antique automobiles** licensed under chapter 39-04.

TITLE 39 Motor Vehicles  
CHAPTER 39-21 Equipment of Vehicles

N.D. Cent. Code, § 39-21-41.1 (2016)

**39-21-41.1. Safety belts.**

- 1.** Every passenger **car** manufactured or **assembled** after January 1, 1965, must be equipped with lapbelt assemblies for use in the driver's and one other front seating position.
- 2.** All motor vehicles manufactured after January 1, 1968, must be equipped with any lapbelt or shoulder belt required at the time the vehicle was manufactured by standards of the United States department of transportation. Nothing in this subsection affects the requirement in subsection 1 for a lapbelt in the driver's seating position.
- 3.** The department may except specified types of motor vehicles or seating positions within any motor vehicle from the requirements imposed by subsections 1 and 2 when compliance would be impractical.
- 4.** No person may install, distribute, have for sale, offer for sale, or sell any belt for use in motor vehicles unless it meets current minimum standards and specifications of the United States department of transportation.
- 5.** Every owner shall maintain belts and assemblies required by this section in proper condition and in a manner that will enable occupants to use them.

TITLE 39 Motor Vehicles  
CHAPTER 39-21 Equipment of Vehicles

N.D. Cent. Code, § 39-21-52 (2016)

**39-21-52. Exemption for certain **street rod** motor vehicles.**

The provisions of this chapter or chapter 52-04-01 of the North Dakota Administrative Code relating to bumpers, tires, and fenders do not apply to **street rod** motor vehicles. However, a **street rod** must have all equipment, in operating condition, which was specifically required by law as a condition for its sale when it was first manufactured. A **street rod** is a modernized motor vehicle which was manufactured before 1949 by a recognized manufacturer and which retains the general appearance and original body configuration as manufactured or a motor vehicle designed and manufactured to resemble such a motor vehicle. A **street rod** may have improved modifications to the body, chassis, engine, brakes, power train, steering, and suspension systems either by modifying the original equipment or replacing original parts with fabricated parts or those taken from other existing vehicles. The director may adopt rules to implement this section.

TITLE 39 Motor Vehicles  
CHAPTER 39-21 Equipment of Vehicles

N.D. Cent. Code, § 39-21-22 (2016)

**39-21-22. Single-beam road-lighting equipment.**

Headlamps arranged to provide a single distribution of light are permitted on motor **vehicles manufactured** and sold **prior** to one year after July 1, 1963, in lieu of multiple-beam road-lighting equipment herein specified if the single distribution of light complies with the following requirements and limitations:

**1.** The headlamps must be so aimed that when the vehicle is not loaded none of the high-intensity portion of the light shall at a distance of twenty-five feet [7.62 meters] ahead project higher than a level of five inches [12.7 centimeters] below the level of the center of the lamp from which it comes, and in no case higher than forty-two inches [106.68 centimeters] above the level on which the vehicle stands at a distance of seventy-five feet [22.86 meters] ahead.

**2.** The intensity must be sufficient to reveal persons and vehicles at a distance of at least two hundred feet [60.96 meters].

## **Emissions Exemptions**

North Dakota does not operate a vehicle emissions testing program.