

**Sixty-seventh Legislative Assembly of North Dakota  
In Regular Session Commencing Tuesday, January 5, 2021**

HOUSE BILL NO. 1068  
(Transportation Committee)  
(At the request of the Parks and Recreation Department)

AN ACT to amend and reenact subsection 8 of section 39-24-01 and subsection 2 of section 39-29-01 of the North Dakota Century Code, relating to the definition of an off-highway vehicle and a snowmobile.

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

**SECTION 1. AMENDMENT.** Subsection 8 of section 39-24-01 of the North Dakota Century Code is amended and reenacted as follows:

8. "Snowmobile" means a self-propelled vehicle intended for off-road travel primarily on snow, having a curb weight of not more than one thousand two hundred pounds [544.31 kilograms], driven by track or tracks in contact with the snow, steered by a ski or skis in contact with the snow, and which is not wider than forty-eight inches [121.92 centimeters]. ~~The term does not include an off-highway vehicle as defined in chapter 39-29 converted to operate on tracks.~~

**SECTION 2. AMENDMENT.** Subsection 2 of section 39-29-01 of the North Dakota Century Code is amended and reenacted as follows:

2. "Off-highway vehicle" means any motorized vehicle not designed for use on a highway and capable of cross-country travel on land, snow, ice, marsh, swampland, or other natural terrain. The term includes a motorized vehicle converted to operate on snow. An off-highway vehicle must be classified into one of the following categories:
  - a. Class I off-highway vehicle is a vehicle that does not qualify as road capable under chapters 39-21 and 39-27, has a seat or a saddle designed to be straddled by the operator, and has handlebars for steering control of two wheels.
  - b. Class II off-highway vehicle is fifty inches [1270.00 millimeters] or less in width, weighs one thousand two hundred pounds [544.31 kilograms] or less, and travels on three or more nonhighway tires; or is sixty-five inches [1651 millimeters] or less in width, weighs two thousand pounds [907.19 kilograms] or less, and travels on four or more nonhighway tires.
  - c. Class III off-highway vehicle weighs less than eight thousand pounds [3628.74 kilograms]; travels on skis, runners, tracks, or four or more tires; has a seat; has a wheel, handlebars, or steering for steering control; and is designated for or capable of cross-country on or over land, water, sand, snow, ice, marsh, swampland, or other natural terrain, but does not include a vehicle registered by the department under chapter 39-04 or 39-24.

*Kim Lofgren*  
Speaker of the House

*Burdland*  
President of the Senate

*Buell J. Reek*  
Chief Clerk of the House

*Almond Meyer*  
Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-seventh Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1068.

House Vote:      Yeas 90                  Nays 0                  Absent 4

Senate Vote:      Yeas 46                  Nays 0                  Absent 1

*Buell J. Reek*  
Chief Clerk of the House

Received by the Governor at 9:38 AM. on March 8, 2021.

Approved at 3:32 PM. on March 8, 2021.

*Doug Burgin*  
Governor

Filed in this office this 9<sup>th</sup> day of March, 2021,  
at 8:24 o'clock A. M.

*Almond Meyer*  
Secretary of State