

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

HOUSE BILL NO. 1368
(Representatives O'Brien, Westlind)
(Senators Kreun, Patten)

AN ACT to create and enact section 51-07-28.1 of the North Dakota Century Code, relating to tracking devices on motor vehicles; and to provide a penalty.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

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

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

1. 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
 - c. The system or device is removed within sixty days of the loan for the motor vehicle being paid in full at:
 - (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.

Kim A. Hoeghna
Speaker of the House

[Signature]
President of the Senate

Bull J. Reick
Chief Clerk of the House

[Signature]
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. 1368.

House Vote: Yeas 94 Nays 0 Absent 0

Senate Vote: Yeas 46 Nays 0 Absent 1

Bull J. Reick
Chief Clerk of the House

Received by the Governor at 9:08 AM. on March 29, 2021.

Approved at 6:08 PM. on March 31, 2021.

[Signature]
Governor

Filed in this office this 1st day of April, 2021,

at 8:20 o'clock A. M.

[Signature]
Secretary of State