



NORTH DAKOTA CLASSIFICATION OF OFFENSES

*Making a difference every day
by providing high quality law enforcement
services to keep North Dakota safe and secure.*

August 1, 2019

Classification of Offenses – Effective August 1, 2019

PT	BOND/FEE	SECTION	OFFENSE	VIOLATION
ACCIDENT				
18	----	39-08-04	A Misd	Leaving the scene of an accident involving personal injury (serious personal injury - C felony; death - B felony)
14	----	39-08-05	B Misd	Leaving the scene of an accident involving an attended vehicle, property damage
14	----	39-08-07	A Misd	Leaving the scene of an accident involving an unattended vehicle
14	----	39-08-08	Infrac	Leaving the scene of an accident with a fixed object
6	\$50	39-08-09	Non-Crim	Failure to give immediate notice of reportable accident (undomesticated animal/vehicle crash is exempt)
6	----	39-09-01	Infrac	Careless driving – causes and inflicts injury upon operator of snow removal equipment or causes damage in excess of \$1000
ALCOHOL				
0	----	5-01-05.1	Non-Crim	Intoxicated person (de-tox)
0	----	5-01-08	B Misd	Possessing, purchasing, furnishing money to purchase, or consuming an alcoholic beverage by an individual under 21
0	----	5-01-09	A Misd	Delivering alcoholic beverages to an individual under 21
0	----	5-01-18	B Misd	Illegal to possess or sell alcohol vaporizing device
0	----	5-01-22	B Misd	Illegal to possess, sell, purchase, or consume powdered alcohol
0	----	5-02-05	A Misd	Violation of hours for licensed liquor establishment
----	----	39-08-01	B Misd	Drove or in actual physical control of a vehicle while under the influence of alcohol or drugs and/or with an alcohol concentration of at least .08 and/or refusal (1st & 2nd offense in 7-year period); A Misd – 3rd offense in a 7-year period; C Felony – 4th and subsequent offense in 15 year period
0	----	39-08-01.2	C Felony	Serious bodily injury while violating 39-08-01 or 39-08-03 (death - A Felony)
0	----	39-08-01.4	A Misd	DUI by person 21 or older with minor present; C Felony – 2 nd or subsequent offense
2	\$50	39-08-18	Non-Crim	Open receptacle containing an alcoholic beverage in or on vehicle (moving—if operator) (0 points if passenger)
BACKING				
0	\$20	39-10-52(1)	Moving	Backing so as to interfere with traffic
0	\$20	39-10-52(2)	Moving	Backing vehicle on controlled access highway
BICYCLE				
0	\$5	39-10.1-04	Moving	Clinging to a vehicle
0	\$5	39-10.1-05	Moving	Failed to ride as near to the right as possible
DRIVER LICENSE				
4	\$20	39-06-01	Moving	Drove without operator's license
4	\$20	39-06.1-03	Non-Crim	Violated or exceeded restrictions contained in temporary restricted driving certificate
2	----	39-06-04	Infrac	Failed to comply with requirements of Class D instruction permit (age requirement, points, and the prohibition on electronic communication devices)
4	\$20	39-06-14	Moving	Drove vehicle other than permitted by class license
4	\$20	39-06-14.1(1)	Moving	Violated restrictions of class M learner's permit (may not operate when use of headlights are required or carry a passenger)
4	\$20	39-06-14.1(2c)	Moving	Violated restriction of class M license (restricted to 250cc or less if under 16 years old)
0	\$20	39-06-16	Moving	Failed to have driver's license in possession or to physically surrender DL
4	----	39-06-17	B Misd	Violated driver's license or work permit restrictions (Violated eye lens restrictions – 3 points)
4	\$20	39-06-17(4a-d)	Non-Mov	Violated provisions of restricted driver's license (juvenile)
0	----	39-06-40	B Misd	Unlawful use of license—lending/use someone else's/refuse to surrender any operator's license, permit, or ID card

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0	----	39-06-40.1	B Misd	Reproducing or altering operator's or driver's license, ID card, or permit – display or have in possession an altered driver's license
0	----	39-06-42	B Misd	Driving while license suspended or revoked (fourth or subsequent offense within 5 years - A Misd)
2	\$20	39-06-44	Non-Mov	Permitting unauthorized minor to drive
2	\$20	39-06-45	Non-Mov	Permitting unauthorized person to drive

EQUIPMENT

0	\$20	39-10-39	Moving	No signal lamps or signals by hand or arm when required
0	\$20	39-21-01	Moving	Drove without headlamps when required
0	\$20	39-21-03	Moving	No headlamps (not operated - \$10 Non-Mov)
0	\$20	39-21-04(1)	Moving	Drove without taillamps when required
0	\$20	39-21-04(3)	Moving	No license plate light when required
0	\$20	39-21-05	Moving	Operated new vehicle upon roadway without required reflectors (not operated - \$10 Non-Mov)
0	\$20	39-21-06	Moving	Operated motor vehicle not equipped with stop lamps or turn signals
0	\$20	39-21-06.1	Moving	Operated motor vehicle while backup lights lighted
0	\$20	39-21-08	Non-Mov	No clearance lamps or reflectors when required
0	\$20	39-21-08	Non-Mov	No stop lamp – bus, truck, trailer, or semitrailer
0	\$10	39-21-09	Non-Crim	Improper color of clearance side marker, backup lamps, or reflectors
0	\$10	39-21-09(3)	Non-Crim	Only red light permitted to rear (see exemptions)
0	\$20	39-21-10	Non-Mov	Improper mounting of reflectors, clearance lamps, and marker lamps
0	\$20	39-21-11	Non-Mov	Visibility of reflectors, clearance lamps, and marker lamps
0	\$20	39-21-12	Moving	Operated vehicle in combination with insufficient/improper lights
0	\$20	39-21-13	Moving	No flag or lamp on projecting load (not operated - \$10 Non-Mov)
0	\$20	39-21-14	Non-Mov	No lamps or headlamps on high beam while parked
0	\$20	39-21-15	Moving	No lamps on farm tractor, equipment, or implements when required
0	\$20	39-21-16	Moving	No lamps on other vehicles and equipment
0	\$20	39-21-17	Moving	Operated vehicle with improperly aimed or mounted spot, fog, passing, or driving lamp
0	\$20	39-21-18(4)	Moving	School bus not equipped with flashing signal lights/stop arm
0	\$20	39-21-18.1	Moving	Improper use of flashing lights by mail carrier
0	\$20	39-21-19	Moving	No signal lamps or stop lamps (not operated - \$10 Non-Mov)
0	\$20	39-21-20(3)	Moving	Vehicle not equipped with high beam indicator
1	\$20	39-21-21(1)	Moving	Failed to dim headlamps for approaching vehicles within 500 ft
1	\$20	39-21-21(2)	Moving	Failed to dim headlamps when following another vehicle within 300 ft
0	\$20	39-21-22	Moving	Vehicle equipped with improperly aimed or adjusted headlamps
0	\$20	39-21-25	Moving	Operated vehicle while equipped with excessive number of lamps
0	\$20	39-21-26(2)	Moving	Unauthorized red or green light visible from the front
0	\$20	39-21-26(3)	Moving	Unauthorized flashing light
0	\$20	39-21-27	Moving	Improperly operated school bus warning equipment or special lighting
0	\$20	39-21-28(2)	Moving	Operated snow removal equipment upon highway without displaying proper lights
0	\$20	39-21-29	Moving	Vehicle equipped with lamp which has not been approved
2	\$20	39-21-32	Moving	Defective brakes on motor vehicle (not operated - \$10 Non-Mov)
2	\$20	39-21-32(3)	Moving	Defective brakes or no safety chains on trailer
2	\$20	39-21-33	Moving	Maintenance of brakes required
0	\$20	39-21-36(1)	Moving	No horn
0	\$20	39-21-36(2)	Moving	Operated vehicle equipped with unauthorized siren, whistle, or bell
0	\$20	39-21-37	Moving	Defective muffler or no muffler (not operated - \$10 Non-Mov)
0	\$20	39-21-38	Moving	No mirror
0	\$20	39-21-39(1)	Moving	Drove vehicle with obstructed windshield or no windshield (not operated - \$10 Non-Mov)
0	\$20	39-21-39(3)	Moving	Operated vehicle with faulty or no windshield wipers
0	\$20	39-21-39(4)	Moving	Tinted windshield or windows (windows behind the operator are exempt if the vehicle is equipped with outside mirrors on each side)
0	\$20	39-21-40(3)	Moving	Drove with studded tires when illegal (legal period - October 15 to April 15)

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0	\$20	39-21-40(3)	Moving	Operated vehicle with cleat, spike, or metal flange in contact with road surface (exceptions for farm machinery, school buses, and tire chains)
1	\$25	39-21-41.2	Moving	Operator failed to provide child restraint device
0	\$20	39-21-41.4	Moving	Front seat occupant not properly restrained (secondary offense only – mail carriers, implements of husbandry, and certain medical conditions are exempt)
0	\$20	39-21-42	Moving	Certain vehicles to carry flares or other warning devices
0	\$20	39-21-43	Moving	Failed to display flares
0	\$20	39-21-44.1	Moving	Drove vehicle with leaking or sifting load
0	\$20	39-21-44.2	Moving	Improper drawbar or connection between vehicles (not operated - \$10 Non-Mov)
1	\$20	39-21-45.1	Moving	Driving a modified motor vehicle
2	----	39-21-46(2)	Infrac	Operated an unsafe vehicle
0	\$20	39-21-50	Moving	Failed to display slow moving emblem or flashing amber light
0	----	39-21-51	B Misd	Altered odometer or mileage recorders (more than one vehicle or a subsequent offense - C felony)

FOLLOWING

0	\$20	39-10-18(1)	Moving	Following too close
0	\$20	39-10-18(2)	Moving	Failed to leave sufficient distance between trucks
0	\$100	39-10-18(4)	Moving	CMV driver found to be operating in a platoon without approved plan or operating in violation of plan guidelines. (Ref. 39-10-74)

HEIGHT, WEIGHT, LENGTH

0	\$100	39-12-08	Non-Crim	Operating without permit
0	\$20	39-12-04	Moving	Overwidth, height, and length limitations
0	\$100	39-12-04(1d)	Moving	Seasonal permit violation
0	\$20	39-12-05	Moving	Overweight limitations on interstate system
0	\$20	39-12-05.3	Moving	Overweight limitation on roads other than the interstate system
0	\$20	39-12-06	Moving	Extended load on side of vehicle
0	\$20	39-12-09	Moving	Operating or owner allowing the operation of a vehicle in violation of size or weight limitations
0	----	39-12-21	B Misd	Driver failed to stop or submit vehicle to weighing when ordered to do so by a police officer

HIGHWAY

0	----	24-03-05	A Misd	Defacing, removing, or traveling through any barricade on highway
0	----	24-03-11	B Misd	Failed to erect warning signs at culvert, bridge, or on public roadway under repair
0	----	24-06-27	B Misd	Obstructed or caused damage to highway ditch
0	----	24-10-03	Infrac	Failed to close gates authorized on highway
0	----	24-12-01	B Misd	Destruction to highway, rest area, bridge, picnic area, etc.
0	----	24-12-02	B Misd	Obstructed or plowed up highway right of way
0	----	24-12-04	B Misd	Caused damage to highway signs and markings

MOBILE HOME

0	\$20	39-10-52.2	Moving	Riding in housetrailer when prohibited
0	\$100	39-18-01	Non-Crim	Mobile home dealer license violation
0	----	39-18-03	B Misd	Failure to register mobile home, travel trailer, or housetrailer
0	----	39-18-04	B Misd	Mobile home not equipped with adequate brakes, taillights, or stoplights

MOTOR VEHICLE DEALERS

0	----	39-04-17	Infrac	Certificate of notary violation
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MOTORCYCLE AND MOPEDS (For motorcycle equipment see sections 39-21 and 39-27)

2	\$20	39-10.2-02	Moving	Riding more than designed for or interfering with the operator
2	\$20	39-10.2-03	Moving	Overtaking or passing vehicle in same lane or more than two abreast
4	\$20	39-10.2-04	Moving	Clinging to a vehicle
2	\$20	39-10.2-05	Moving	Carrying passengers on motorcycle not equipped with passenger

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				footrests
2	\$20	39-10.2-06	Moving	No helmet worn - driver or passenger under 18 (if the driver is required to wear protective headgear, any passenger must also regardless of age)
OFF-HIGHWAY VEHICLES (OHV)				
0	\$50	39-29-02	Infrac	Failed to register off-highway vehicle
0	\$20	39-29-09(1)	Infrac	Operated on roadway, shoulder, or inside bank or slope where prohibited
0	\$20	39-29-09(1)	Infrac	Operated OHV on paved highway with speed limit greater than 55 mph
0	\$20	39-29-09(1)	Infrac	Only class III OHV with a licensed driver age 16 or older may operate on a paved highway posted at a speed not exceeding 65 mph
0	\$20	39-29-09(2a)	Infrac	Crossed roadway other than 90-degree angle
0	\$20	39-29-09(2b)	Infrac	Failed to stop before crossing roadway
0	\$20	39-29-09(2c)	Infrac	Failed to yield right of way to oncoming traffic
0	\$20	39-29-09(2d)	Infrac	Crossing divided highway at other than an intersection
0	\$20	39-29-09(3)	Infrac	No brakes, headlamp, or taillamp (except for class I OHV)
0	----	39-29-09(5b)	B Misd	Careless, reckless, or negligent operation of OHV
0	----	39-29-09(5c)	B Misd	Drove OHV while under the influence of intoxicating liquor or drugs
0	----	39-29-09(5g)	B Misd	Operating on posted land
0	\$20	39-29-09(6)	Infrac	No valid driver's license in possession while operating an OHV
0	\$20	39-29-09(9)	Infrac	No helmet worn - operator or passenger under 18 years
0	\$20	39-29-09(10)	Infrac	Carried passenger on OHV
0	\$10	39-29-09.1	Infrac	Operated OHV on paved roadway w/o mirror, horn, speedometer, odometer, brake light, headlamp or motor of at least 350 cc
0	\$10	39-29-10	Infrac	Age 12 or over operating OHV without safety certificate or license
OVERTAKING				
2	\$20	39-10-11(1)	Moving	Drove to the right before safely clear while passing
2	\$20	39-10-11(2)	Moving	Failed to give way when overtaken
2	\$20	39-10-12	Moving	Overtook vehicle on the right when prohibited or unsafe
2	\$20	39-10-13	Moving	Overtook when unsafe
2	\$20	39-10-15	Moving	Overtook where prohibited
6	\$100	39-10-46(1)	Moving	Overtook or passed stopped school bus
6	\$50	39-10-46(2)	Moving	Improper use of school bus (school bus signs)
0	\$100	39-10-46.1	Moving	Registered owner permitted overtaking or passing of school bus
PARKING				
0	\$5	39-01-15(6)	Non-Mov	Mobility impaired certificate or license plate not prominently displayed
0	\$100	39-01-15(8)	Infrac	Mobility impaired certificate improperly used
0	\$100	39-01-15(10)	Non-Mov	Stopping, standing, or parking in mobility impaired designated parking space
2	\$20	39-10-47	Non-Mov	Stopping, standing, or parking outside of business or residential district upon the paved or main-traveled portion of a highway
0	\$5	39-10-48(4)	Non-Mov	Vehicle improperly parked on Capitol Grounds when prohibited
1	\$20	39-10-49	Non-Mov	Stopping, standing, or parking where prohibited
0	\$20	39-10-50	Non-Mov	Additional parking regulations
0	\$50	39-10-50.1	Non-Mov	Unauthorized parking in a designated electric parking space or obstructing the space
1	\$20	39-10-54.1	Non-Mov	Opening door on vehicle when unsafe
PEDESTRIANS				
2	\$50	39-10-05	Moving	Failed to yield to pedestrian at a lighted traffic-controlled intersection
2	\$50	39-10-28	Moving	Failed to yield right of way to pedestrian in crosswalk
0	\$20	39-10-30	Moving	Driver failed to exercise due care upon approaching pedestrian
0	\$20	39-10-33.1	Moving	Driver failed to yield right of way to pedestrian on sidewalk
0	\$20	39-10-33.2	Moving	Pedestrian failed to yield right of way to authorized emergency vehicle
2	\$20	39-10-33.3	Moving	Driver failed to yield right of way to blind or visually impaired person
0	\$20	39-10-33.4	Moving	Pedestrian under influence of alcohol or drugs creating a hazard on

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0	\$20	39-10-34	Moving	roadway Pedestrian standing on roadway soliciting ride or business
RAILROAD CROSSINGS				
3	\$50	39-10-41	Moving	Failed to stop for automatic RR crossing signal, flagman, or train; drove around crossing gate or barrier
3	\$50	39-10-42	Moving	Failed to stop for RR crossing marked with stop sign
0	\$20	39-10-43	Moving	Passenger bus, school bus, or vehicle carrying certain hazardous materials failed to stop at RR crossing
0	\$20	39-10-67	Moving	Improper movement of heavy equipment at RR grade crossing
REGISTRATION				
1	\$20	39-04-11	Non-Mov	Failed to display number plates/tabs
0	\$20	39-04-22	Moving	Exceeded gross weight for which registered
0	\$20	39-04-37(1)	Moving	Failed to register motor vehicle (\$100 non-moving upon gainful employment)
0	----	39-04-37	B Misd	Unlawful use of license plate or tab – Section 2, 3, 4, 5
0	\$20	39-04-55	Moving	Failed to carry registration card in vehicle
0	----	39-05-17	B Misd	Failure to transfer title of vehicle
0	----	39-05-28	C Felony	Fraudulently defacing, destroying, or altering motor vehicle identification numbers
0	----	39-19-03	Infrac	Failed to pay mile tax when required
RIGHT OF WAY				
2	\$20	39-10-04	Moving	Disregarded traffic control device
2	\$20	39-10-05	Moving	Drove through red light
2	\$20	39-10-07	Moving	Failed to stop or yield for flashing red light/intersection
2	\$20	39-10-07	Moving	Failed to exercise caution at flashing yellow light/intersection
2	\$20	39-10-22	Moving	Failed to yield at intersection
2	\$20	39-10-22.1	Moving	Failed to yield right of way when entering a freeway
2	\$20	39-10-23	Moving	Turned left in front of approaching traffic
2	\$40	39-10-24(2)	Moving	Failed to yield right-of-way at intersection marked with a stop sign
2	\$40	39-10-24(3)	Moving	Failed to yield right-of-way at intersection marked with a yield sign
2	\$20	39-10-25	Moving	Failed to yield entering roadway from any place other than another roadway
2	\$50	39-10-26	Moving	Failed to yield to emergency vehicle or highway maintenance vehicle
2	\$50	39-10-26(2)	Moving	Failed to change lanes for authorized emergency vehicle
2	----	39-10-26(5)	Infrac	Failure to yield to emergency vehicle and causes an accident
0	\$20	39-10-37	Moving	Failed to yield from stopped or parked position
2	\$40	39-10-44(3)	Moving	Disregarded stop sign
0	\$20	39-10-45	Moving	Driver emerging from alley, driveway, private road, or building failed to stop prior to entering crosswalk or roadway
0	\$20	39-10-68	Moving	Entered intersection or RR grade crossing when roadway was obstructed
2	\$20	39-10-72	Moving	Violated right of way to funeral procession
SNOWMOBILE				
0	\$50	39-24-02	Moving	Failed to register snowmobile
0	\$20	39-24-09(1)	Moving	Operated on shoulder of street, highway, or interstate when prohibited
0	\$20	39-24-09(2a)	Moving	Crossed roadway other than 90-degree angle
0	\$20	39-24-09(2b)	Moving	Failed to stop before crossing roadway
0	\$20	39-24-09(2c)	Moving	Failed to yield right of way to oncoming traffic
0	\$20	39-24-09(2d)	Moving	Crossed divided highway at other than an intersection
0	\$20	39-24-09(3)	Moving	No brakes, headlamps, or taillamps
0	----	39-24-09(5b)	B Misd	Careless, reckless, or negligent operation of snowmobile
0	----	39-24-09(5c)	B Misd	Drove snowmobile while under the influence of intoxicating liquor or drugs
0	----	39-24-09(5g)	B Misd	Operating on posted land
0	\$20	39-24-09(6)	Moving	No valid driver's license in possession while operating snowmobile
0	\$20	39-24-09(10)	Infrac	No helmet worn—operator or passenger under 18 years

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0	----	39-24-09(11)	B Misd	Operating or owner permitting operation of snowmobile without liability insurance
0	\$100	39-24-09(12)	Moving	Operating within right of way of interstate
0	\$10	39-24-09.1	Non-Crim	Age restriction of operating snowmobile without certificate or license
0	----	39-24.1-06	Non-Crim	Revocation of privilege to operate snowmobile upon refusal to submit to testing (schedule hearing to determine noncriminal statutory fee)
0	----	39-24.1-12	A Misd	Operating snowmobile during period of prohibition
0	----	39-24.1-13	B Misd	Fleeing or attempting to elude a peace officer (third or subsequent offense – A Misd)

TURNING

0	\$20	39-10-35(1)	Moving	Turned right from wrong lane or turned too wide
0	\$20	39-10-35(2)	Moving	Turned left from wrong lane or turned too wide
0	\$20	39-10-36	Moving	Improper turn around (interfered with traffic or on a hill or curve)
0	\$20	39-10-38	Moving	Neglected signal when required

WRONG SIDE OR WRONG WAY

2	\$20	39-10-08	Moving	Drove on left half of roadway not in overtaking
2	\$20	39-10-14(1a)	Moving	Drove on left half of roadway on hill or curve
2	\$20	39-10-14(1b)	Moving	Drove on left half of roadway at intersection or RR crossing
2	\$20	39-10-16	Moving	Drove wrong way on one-way roadway
0	\$20	39-10-17	Moving	Changed lanes without regard for other traffic
0	\$20	39-10-19	Moving	Crossing the median
2	\$20	39-10-20	Moving	Drove onto controlled-access highway other than entrances or exits
0	\$250	39-10-21.1	Moving	Knowingly entered road closed due to hazardous conditions which is posted with a traffic-control device at the point of entry
0	\$20	39-10-55	Moving	Driver failed to stay to the right while traveling through defiles or canyons or failed to give audible warning

MOTOR CARRIER HAZARDOUS MATERIALS REGULATIONS

2	\$250	39-21-44(1)	Non-Crim	Vehicle transporting explosives or hazardous materials – not equipped with at least one fire extinguisher, filled, ready and in convenient location
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MISCELLANEOUS

0	\$25	12.1-31-03	NonCrim	Use of tobacco products by a minor (juvenile referral under 14 years old)
0	----	39-03-11	A Misd	Impersonating patrolman
0	----	39-07-08	B Misd	Violated written promise to appear
8	----	39-08-03	B Misd	Reckless driving
12	----	39-08-03	A Misd	Aggravated reckless driving
10	\$100	39-08-03.1	Moving	Drag racing (2.a)
3	\$50	39-08-03.1	Moving	Exhibition driving (2.b)
10	\$100	39-08-03.1	Moving	Racing (2.c)
0	----	39-08-19	B Misd	Willfully harassing or frightening any domestic animal with a motor vehicle
6	\$150	39-08-20	Moving	Driving without or failure to provide proof of liability insurance (in crash & owner—14 pts); 2 nd and subsequent offense w/in 3 years \$300 (12 points if w/in 18 months of first offense)
0	----	39-08-20(4)	B Misd	Failure to turn over plates by court order—result of second offense 3 yrs
0	\$150	39-08-20.2	Infrac	Failure to provide liability insurance for special mobile equipment (\$300 for 2 nd and subsequent offense in 3 years)
0	\$100	39-08-23	Moving	Used a wireless communications device to compose, read, or send electronic message while operating a motor vehicle
0	\$20	39-08-24	Moving	Used an electronic communication device while operating a motor vehicle – Class D license holder at least 16 and under 18
0	\$100	39-08-25	Moving	Failure to maintain control of motor vehicle while distracted
2	\$20	39-10-02	Moving	Failure to comply with a lawful order of police officer
0	\$20	39-10-38	Moving	Neglected signal when required
0	\$20	39-10-52.1	Moving	Driving upon sidewalk
0	\$20	39-10-54	Moving	Obstruction to driver's view or driving mechanism

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0	\$20	39-10-56	Moving	Coasting prohibited
0	\$20	39-10-57	Moving	Following emergency vehicle when prohibited
0	\$20	39-10-58	Moving	Drove across fire hose when prohibited
0	\$500	39-10-59	Moving	Depositing rubbish on the roadway
0	\$20	39-10-64	Moving	Drove through safety zone when prohibited
0	----	39-10-65	B Misd	Operated motor vehicle on protective flood works when prohibited
24	----	39-10-71	A Misd C Felony	Fleeing or attempting to elude a police officer 1st offense Any subsequent offense within 3 years; or fleeing after or in the commission of a felony; or driver operates vehicle in a manner that creates inherent risk of death or serious injury to 3 rd person
0	----	39-21-56	A Misd	To sell, install, or sell a vehicle installed with a counterfeit or knowingly inoperative or previously deployed airbag
0	----	39-26-03	A Misd	Abandoned motor vehicle without receiving consent of the owner
0	\$20	62.1-04-04	Non-Mov	Producing concealed carry license upon request

CRIMINAL (Criminal Offenses Include Infractions, Misdemeanors, Felonies)

0	----	12.1-02-02	B Felony	Operating a “chop shop”
0	----	12.1-08	A Misd	Harboring a runaway minor
0	----	12.1-08-02	A Misd	Resisting arrest (if offense involves an A, B, or C Felony - C Felony)
0	----	12.1-08-03	A Misd	Hindering law enforcement (C Felony under certain circumstances)
0	----	12.1-08-06	A Misd	Escape (B or C Felony under certain circumstances)
0	----	12.1-08-11	B Misd	Refusing to halt (non-driver; third or subsequent offense - A Misd)
0	----	12.1-11-03	A Misd	False information to a police officer
0	----	12.1-16-03	C Felony	Negligent homicide
0	----	12.1-17-01.2	B Misd	Domestic Violence – Bodily Injury; A Misd for subsequent offense; (Substantial bodily injury; A Misd; B Felony if victim under 12);(Serious bodily injury; C Felony; B Felony if victim under 12)
0	----	12.1-17-02	C Felony	Aggravated assault (B Felony if victim is under the age of 12, permanent loss or impairment of bodily member or organ, law enforcement or correctional institution employee)
0	----	12.1-17-11	A Misd	Contact by body fluids or excrement if the individual is reckless;
0	----	12.1-17-12	B Felony	C Felony if knowingly causes contact If negligently causes serious bodily harm while fleeing a peace officer; A Felony if negligently causes death
0	----	12.1-23-02.1	C Felony	Disarming or attempting to disarm a law enforcement officer
0	----	12.1-23-06	A Misd	Unauthorized use of a vehicle (C Felony if vehicle is an aircraft or recovery/restoration costs exceed \$1,000)
0	----	12.1-31-01	A Misd	Violated restraining order under section 4 or 5
0	----	12.1-31-01	B Misd	Disorderly conduct
0	----	12.1-31-01.1	B Misd	Disorderly conduct within 300 feet of funeral (subsequent offense - A Misd)
0	----	14-10-06	A Misd	Contributing to the delinquency of a minor (sexual conduct under 16 - C Felony)
0	----	19-03.1-22.1	B Misd	Inhalation of volatile chemical vapors
0	----	19-03.1-22.3	B Misd	Unlawful ingestion of marijuana under 21 and not a medical card holder
0	----	19-03.1-22.3	A Misd	Unlawful ingestion of a controlled substance not marijuana
0	----	19-03.1-23	A Misd	Possession of a controlled substance – other than marijuana (C Felony for 2 nd or subsequent offense)(B Felony if on school property, or delivery or manufacturing)
0	----	19-03.1-23	Infrac	Possession of a controlled substance – < ½ oz marijuana (B Felony for delivery or manufacturing)
0	----		B Misd	Possession of controlled substance - ½ oz to 500g of marijuana
0	----		A Misd	Possession of controlled substance – > 500g of marijuana
0	----	19-03.4-03	Infrac	Possession of drug paraphernalia – marijuana (A Misd for manufacturing and growing related)(B Misd only after 2 prior convictions)
0	----	19-03.4-03	A Misd	Possession of drug paraphernalia – Sch. 1-3 (C Felony for 2 nd and subsequent offense or manufacturing and growing related)

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0	----	19-03.4-04	A Misd	Unlawful manufacture or delivery of drug paraphernalia (Class I, II, III-C Felony)
0	----	19-03.4-05	C Felony	Unlawful delivery of drug paraphernalia to a minor (at least 3 years the deliverer's junior)
0	----	20.1-01-06	B Misd	Being afield with gun, firearm, or bow and arrow while under the influence of intoxicating liquor and/or drugs
0	----	20.1-13-07	B Misd	Operating a motorboat or vessel while under the influence of intoxicating liquor and/or drugs
0	----	23-29-05.1	Infrac	Littering (more than one cubic foot, furniture, or appliance - B Misd)
0	----	24-15-05	B Misd	Proceeded or traveled through established roadblock
0	----	62.1-02-10	Infrac	Carrying a loaded firearm in a vehicle (Class 2 non-criminal under 20.1-01-30 if while hunting)
0	----	62.1-03-01	A Misd	Carrying a handgun other than permitted by law
0	----	62.1-04-02	A Misd	Carrying a concealed weapon

Juvenile Court has jurisdiction over all criminal traffic related offenses including felonies, misdemeanors, and infraction law violations. The Juvenile Court does not have jurisdiction over non-criminal traffic related offenses including moving and non-moving violations. Non-moving violations are defined under 39-06.1-08 and moving violations are defined under 39-06.1-09.

SPEED

6	\$30	39-09-01	Moving	Careless driving in violation of basic rule
2	\$30	39-09-01.1	Moving	Care required in operating vehicle
		39-09-02	Moving	Exceeded speed limit (fee as provided)
	\$40+	39-09-02(1b)	Moving	Exceeded speed limit in school zone (fee as provided)
	\$80+	39-09-02(2)	Moving	Exceeded speed limit in construction zone (with signs & workers present)
0	\$20	39-09-04.1	Moving	Drove in excess of special speed limitations
0	\$20	39-09-09	Moving	Impeding traffic or operating slower than minimum posted speed

FEES AND POINTS FOR SPEEDING IN 55 ZONES

MHP	FEE	PT	MPH	FEE	PT	MPH	FEE	PT	MPH	FEE	PT	MPH	FEE	PT
56-60	\$5	0	69	\$14	1	78	\$34	5	87	\$61	9	96	\$88	12
61	\$6	0	70	\$15	1	79	\$37	5	88	\$64	9	97	\$91	12
62	\$7	0	71	\$17	3	80	\$40	5	89	\$67	9	98	\$94	12
63	\$8	0	72	\$19	3	81	\$43	9	90	\$70	9	99	\$97	12
64	\$9	0	73	\$21	3	82	\$46	9	91	\$73	12	100	\$100	12
65	\$10	0	74	\$23	3	83	\$49	9	92	\$76	12	101	\$105+	15
66	\$11	1	75	\$25	3	84	\$52	9	93	\$79	12	+ \$5 for each mph over 101 mph		
67	\$12	1	76	\$28	5	85	\$55	9	94	\$82	12			
68	\$13	1	77	\$31	5	86	\$58	9	95	\$85	12			

FEES AND POINTS FOR SPEEDING IN 65 ZONES

MHP	FEE	PT	MPH	FEE	PT	MPH	FEE	PT	MPH	FEE	PT	MPH	FEE	PT
66	\$2	0	76	\$25	1	86	\$75	5	96	\$125	9	106	\$175	12
67	\$4	0	77	\$30	1	87	\$80	5	97	\$130	9	107	\$180	12
68	\$6	0	78	\$35	1	88	\$85	5	98	\$135	9	108	\$185	12
69	\$8	0	79	\$40	1	89	\$90	5	99	\$140	9	109	\$190	12
70	\$10	0	80	\$45	1	90	\$95	5	100	\$145	9	110	\$195	12
71	\$12	0	81	\$50	3	91	\$100	9	101	\$150	12	111	\$200+	15
72	\$14	0	82	\$55	3	92	\$105	9	102	\$155	12	+ \$5 for each mph over 111 mph		
73	\$16	0	83	\$60	3	93	\$110	9	103	\$160	12			
74	\$18	0	84	\$65	3	94	\$115	9	104	\$165	12			
75	\$20	0	85	\$70	3	95	\$120	9	105	\$170	12			

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PT	BOND/FEE	SECTION	OFFENSE	VIOLATION
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FEEES AND POINTS FOR SPEEDING IN 70 ZONES

MHP	FEE	PT	MPH	FEE	PT	MPH	FEE	PT	MPH	FEE	PT	MPH	FEE	PT
71	\$5	0	81	\$55	3	91	\$105	7	101	\$155	12	111	\$205	15
72	\$10	0	82	\$60	3	92	\$110	7	102	\$160	12	112	\$210	15
73	\$15	0	83	\$65	3	93	\$115	7	103	\$165	12	113	\$215	15
74	\$20	0	84	\$70	3	94	\$120	7	104	\$170	12	114	\$220	15
75	\$25	0	85	\$75	3	95	\$125	7	105	\$175	12	115	\$225	15
76	\$30	1	86	\$80	5	96	\$130	10	106	\$180+	15	116	\$230	15
77	\$35	1	87	\$85	5	97	\$135	10	107	\$185	15	+ \$5 for each mph over 106 mph		
78	\$40	1	88	\$90	5	98	\$140	10	108	\$190	15			
79	\$45	1	89	\$95	5	99	\$145	10	109	\$195	15			
80	\$50	1	90	\$100	5	100	\$150	10	110	\$200	15			

FEEES AND POINTS FOR SPEEDING IN 75 ZONES

MHP	FEE	PT	MPH	FEE	PT	MPH	FEE	PT	MPH	FEE	PT	MPH	FEE	PT
76	\$5	0	86	\$55	3	96	\$105	7	106	\$155	12	116	\$205	15
77	\$10	0	87	\$60	3	97	\$110	7	107	\$160	12	117	\$210	15
78	\$15	0	88	\$65	3	98	\$115	7	108	\$165	12	118	\$215	15
79	\$20	0	89	\$70	3	99	\$120	7	109	\$170	12	119	\$220	15
80	\$25	0	90	\$75	3	100	\$125	7	110	\$175	12	120	\$225	15
81	\$30	1	91	\$80	5	101	\$130	10	111	\$180+	15	121	\$230	15
82	\$35	1	92	\$85	5	102	\$135	10	112	\$185	15	+ \$5 for each mph over 111 mph		
83	\$40	1	93	\$90	5	103	\$140	10	113	\$190	15			
84	\$45	1	94	\$95	5	104	\$145	10	114	\$195	15			
85	\$50	1	95	\$100	5	105	\$150	10	115	\$200	15			

FEE AND POINT SCHEDULE FOR SPEEDING

	Speed Zones 55 or less	Speed Zones greater than 55 but less than 70 mph	
Speed (mph)	Fee (\$)	Fee (\$)	PT
1–5 mph over limit	\$5	\$2/each mph over limit	0
6–10 mph over limit	\$5+ \$1/each mph over 5 mph over limit	\$2/each mph over limit	0
11–15 mph over limit	\$10+ \$1/each mph over 10 mph over limit	\$20+ \$5/each mph over 10 mph over limit	1
16–20 mph over limit	\$15+ \$2/each mph over 15 mph over limit	\$45+ \$5/each mph over 15 mph over limit	3
21–25 mph over limit	\$25+ \$3/each mph over 20 mph over limit	\$70+ \$5/each mph over 20 mph over limit	5
26–35 mph over limit	\$40+ \$3/each mph over 25 mph over limit	\$95+ \$5/each mph over 25 mph over limit	9
36–45 mph over limit	\$70+ \$3/each mph over 35 mph over limit	\$145+ \$5/each mph over 35 mph over limit	12
46+ mph over limit	\$100+ \$5/each mph over 45 mph over limit	\$195+ \$5/each mph over 45 mph over limit	15

Classification of Offenses – Effective August 1, 2019

PT	BOND/FEE	SECTION	OFFENSE	VIOLATION
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FEES AND POINTS FOR SPEEDING IN SCHOOL ZONES

20 Zone	Fee	Pts
21-30	\$40	0
31	\$41	1
32	\$42	1
33	\$43	1
34	\$44	1
35	\$45	1
36	\$46	3
37	\$47	3
38	\$48	3

20 Zone	Fee	Pts
39	\$49	3
40	\$50	3
41	\$51	5
42	\$52	5
43	\$53	5
44	\$54	5
45	\$55	5
46	\$56	9
47	\$57	9

20 Zone	Fee	Pts
48	\$58	9
49	\$59	9
50	\$60	9
51	\$61	9
52	\$62	9
53*	\$63	9

*Regular fee becomes greater

School Zone Criteria: During recess; during opening and closing hours of the school

Fees: 1-10 mph over - \$40; 11 mph and higher - \$40 plus \$1 for each mph over 10 mph over the limit – unless a greater fee is applicable

FEES AND POINTS FOR SPEEDING IN CONSTRUCTION ZONES

35 Zone	55 Zone	60 Zone	Fee	Pts
36-45	56-65	61-70	\$80	0
46	66	71	\$82	1
47	67	72	\$84	1
48	68	73	\$86	1
49	69	74	\$88	1
50	70	75	\$90	1
51	71	76	\$92	3
52	72	77	\$94	3
53	73	78	\$96	3
54	74	79	\$98	3
55	75	80	\$100	3
56	76	81	\$102	5
57	77	82	\$104	5

35 Zone	55 Zone	60 Zone	Fee	Pts
58	78	83	\$106	5
59	79	84	\$108	5
60	80	85	\$110	5
61	81	86	\$112	9
62	82	87	\$114	9
63	83	88	\$116	9
64	84	79	\$118	9
65	85	90	\$120	9
66	86	91	\$122	9
67	87	92	\$124	9
68	88	93	\$126	9
69	89	94	\$128	9

Construction Zone Criteria: 1) Must be signed “Minimum Fee \$80” 2) Construction workers must be present at the time and place of the violation

Fees: 1-10 mph over—\$80; 11 mph and higher—\$80 plus \$2 for each mph over 10 mph over the limit

Extraordinary Road Use Fee Schedule (39-12-17 NDCC)

Pounds	Fee	Pounds	Fee
1 to 1,000	\$20	15,001 to 16,000	\$1,920
1,001 to 2,000	\$40	16,001 to 17,000	\$2,550
2,001 to 3,000	\$60	17,001 to 18,000	\$2,700
3,001 to 4,000	\$140	18,001 to 19,000	\$2,850
4,001 to 5,000	\$220	19,001 to 20,000	\$3,000
5,001 to 6,000	\$305	20,001 to 21,000	\$4,200
6,001 to 7,000	\$380	21,001 to 22,000	\$4,400
7,001 to 8,000	\$495	22,001 to 23,000	\$4,600
8,001 to 9,000	\$575	23,001 to 24,000	\$4,800
9,001 to 10,000	\$655	24,001 to 25,000	\$5,000
10,001 to 11,000	\$1,100	25,001 to 26,000	\$5,200
11,001 to 12,000	\$1,200	26,001 to 27,000	\$5,400
12,001 to 13,000	\$1,300	27,001 to 28,000	\$5,600
13,001 to 14,000	\$1,680	28,001 to 29,000	\$5,800
14,001 to 15,000	\$1,800	29,001 to 30,000	\$6,000

An additional charge of \$200 for every 1,000-pound increase over 30,000 pounds consistent with the above formula.

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PT	BOND/FEE	SECTION	OFFENSE	VIOLATION
MOTOR CARRIER SAFETY REGULATIONS – NDHP ONLY				
0	\$500	39-21-46(3)	Non-Crim	Operating vehicle: after driver placed out-of-service; with 10 or more out-of-service defects; or prior to repair after vehicle has been placed out of service
0	\$250	39-21-46(3)	Non-Crim	False record of duty status/log book; operating vehicle with 7-9 out-of-service defects
0	\$100	39-21-46(3)	Non-Crim	Driving excess hours; duty status/log book violations; operating vehicle with 4-6 out-of-service defects
0	\$50	39-21-46(3)	Non-Crim	Motor carrier safety regulation violations not listed above

MOTOR CARRIER HAZARDOUS MATERIALS REGULATIONS – NDHP ONLY

2	\$250	39-21-44(2)	Non-Crim	Violations involving the transport of haz-mat or explosives
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Integrity
Commitment
Diversity/Respect
Professionalism
Accountability



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