

ORDINANCE NO. 2025

**AN ORDINANCE AMENDING AND RE-ENACTING SECTION 58-100 OF
THE MUNICIPAL CODE OF THE CITY OF DICKINSON, NORTH
DAKOTA, RELATING TO STATUTORY FEES FOR TRAFFIC
VIOLATIONS**

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF
DICKINSON, NORTH DAKOTA, AS FOLLOWS:

Section 1: Section 58-100 of the City Code of the City of Dickinson is hereby amended
and re-enacted as follows:

Sec. 58-100. - Amounts of statutory fees.

The fees required for a noncriminal disposition pursuant to either Sections 58-96, 58-97,
58-701 shall be as follows:

(1) For a nonmoving violation as defined in N.D.C.C. § 39-06.1-08, a fee of \$20.00.

(2) For a moving violation as defined in N.D.C.C. § 39-06.1-09, a fee of \$20.00, except
for:

- a. A violation of N.D.C.C. § 39-10-26, 39-10-26.2, 39-10-41, or 39-10-42 or
equivalent municipal ordinance, a fee of \$50.00.
- b. A violation of N.D.C.C. § 39-10-05 (or equivalent municipal ordinance)
involving failure to yield to a pedestrian or N.D.C.C. § 39-10-28(1) or equivalent
municipal ordinance, a fee of \$50.00.
- c. A violation of N.D.C.C. § 39-21-41.2 or equivalent municipal ordinance, a fee of
\$25.00.
- d. A violation of N.D.C.C. § 39-12-02(1), 39-08-23, or 39-08-25 (or equivalent
municipal ordinances), a fee of \$100.00.
- e. A violation of Section 58-95(1)d or equivalent municipal ordinance, a fee of
\$100.00.
- f. A violation of N.D.C.C. § 39-04-37(6) or equivalent municipal ordinance, a fee of
\$100.00.
- g. A violation of N.D.C.C. § 39-10-21.1(2) or equivalent municipal ordinance, a
fee of \$250.00.
- h. A violation of N.D.C.C. § 39-10-59 or equivalent municipal ordinance, a fee of
\$500.00.
- i. A violation of N.D.C.C. § 39-09-01 or equivalent municipal ordinance, a fee of
\$30.00.
- j. A violation of N.D.C.C. § 39-09-01.1 or equivalent municipal ordinance, a fee of
\$30.00.
- k. A violation of N.D.C.C. § 39-10-46.1 or equivalent municipal ordinance, a fee of
\$100.00.

- l. A violation of N.D.C.C. § 39-08-20(1) or equivalent municipal ordinance, \$150.00 for a first violation and \$300.00 for a second or subsequent violation in three years.
 - m. A violation of N.D.C.C. § 39-10-24 or 39-10-44 or equivalent municipal ordinance, a fee of \$40.00.
 - n. A violation of N.D.C.C. § 39-10-50.1 or equivalent municipal ordinance, a fee of \$50.00.
 - o. A violation of N.D.C.C. § 39-19-03 or equivalent municipal ordinance, a fee of \$50.00.
- (3) For a violation of N.D.C.C. § 39-21-44 or 39-10-46 or equivalent municipal ordinance or a rule adopted under that section, a fee of \$250.00.
- (4) Except as provided in Subsection 6 of this section, for a violation of N.D.C.C. § 39-09-02, or an equivalent ordinance, a fee of twenty dollars, or three dollars for each mile per hour over the limit, whichever is greater. An additional fee of twenty dollars must be assessed for a violation of sixteen miles per hour or more over the limit. :
- (5) For a violation of N.D.C.C. § 39-06.2-10.9 or 39-21-46(3) or equivalent municipal ordinance, a fee established as follows:
- a. Driving more than 11 hours since the last ten hours off duty, driving after 14 hours on duty since the last ten hours off duty, driving after 60 hours on duty in seven days or 70 hours in eight days, no record of duty status or logbook in possession, failing to retain previous seven-day record of duty status or logbook, or operating a vehicle with four to six out-of-service defects: \$100.00;
 - b. False record of duty status or logbook or operating a vehicle with seven to nine out-of-service defects: \$250.00;
 - c. Operating a vehicle after driver placed out of service, operating a vehicle with ten or more out-of-service defects, or operating a vehicle that has been placed out of service prior to its repair: \$500.00; and
 - d. All other violations of motor carrier safety rules adopted under N.D.C.C. § 39-21-46(3): \$50.00.
- (6) On a highway on which the speed limit is posted in excess of 65 miles (104.61 kilometers) an hour, for a violation of N.D.C.C. § 39-09-02, or equivalent municipal ordinance, a fee of \$20.00 or five dollars for each mile per hour over the limit, whichever is greater. An additional fee of twenty dollars must be assessed for a violation of sixteen miles per hour or more over the speed limit.
- (7) For a violation of a school zone speed limit under N.D.C.C. § 39-09-02(1)b or equivalent municipal ordinance, a fee of \$40.00 for one through ten miles per hour over the posted speed; and \$40.00, plus \$1.00 for each additional mile per hour over ten miles per hour over the limit unless a greater fee would be applicable under this section.

(8) For a violation of a highway construction zone speed limit under N.D.C.C. § 39-09-02(2) or equivalent municipal ordinance, a fee of \$80.00 for one through ten miles per hour over the posted speed; and \$80.00, plus \$2.00 for each mile per hour over ten miles per hour over the limit, unless a greater fee would be applicable under this section. The fee in this subsection does not apply to a highway construction zone unless individuals engaged in construction are present at the time and place of the violation and the posted speed limit sign states "Minimum Fee: \$80.00."

(9) For a violation of operating a motor vehicle while not being licensed under section 58-701, a fee of one hundred fifty dollars.

(Code 1993, § 23.80.080; Ord. No. 866, § 1; Ord. No. 1202, § 8; Ord. No. 1352, § 1; Ord. No. 1590, § 9; Ord. No. 1679, § 4; Ord. No. 1723, § 8)

Section 2: Repeal of Ordinances in Conflict. All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

Section 3: Severability. In the event any section of this Ordinance is held invalid by court of competent jurisdiction, the invalidity shall extend only to the section affected, and other sections of this Chapter shall continue in full force and effect.

Section 4: Effective Date: This Ordinance shall be in full force and effect upon final passage.

Scott Decker, President
Board of City Commissioners

ATTEST

Dustin Dassinger, City Administrator

First Reading: _____, 2025

Second Reading: _____, 2025

Final Passage: _____, 2025