

Fifty-fifth  
Legislative Assembly  
of North Dakota

## ENGROSSED SENATE BILL NO. 2090

Introduced by

Senator Lips

(At the request of the Department of Transportation)

1 A BILL for an Act to amend and reenact section 39-09-01 of the North Dakota Century Code,  
2 relating to careless driving involving snow removal equipment; to provide a penalty; and to  
3 declare an emergency.

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

5 **SECTION 1. AMENDMENT.** Section 39-09-01 of the North Dakota Century Code is  
6 amended and reenacted as follows:

7 **39-09-01. Basic rule - Penalty for violation.** No person may drive a vehicle at a  
8 speed greater than is reasonable and prudent under the conditions and having regard to the  
9 actual and potential hazards then existing. Consistent with the foregoing, every person shall  
10 drive at a safe and appropriate speed when approaching and crossing an intersection or  
11 railroad grade crossing, when approaching and going around a curve, when approaching a hill  
12 crest, when traveling upon any narrow or winding roadway, and when special hazards exist  
13 with respect to pedestrians or other traffic or by reason of weather or highway conditions. Any  
14 person who drives a vehicle upon a highway or private or public property open to the public for  
15 the operation of motor vehicles without heed to the requirements or restrictions of this section  
16 has committed careless driving, and must be assessed a fee of thirty dollars.

17 Any person who, by reason of careless driving as herein defined, causes and inflicts  
18 injury upon the person of an operator of snow removal equipment engaged in snow removal  
19 operations or causes damage in excess of one thousand dollars to snow removal equipment  
20 engaged in snow removal is guilty of an infraction.

21 As used in this section, "snow removal equipment" means a vehicle that is operated by  
22 a person employed by or on behalf of an authority in charge of the maintenance of the highway  
23 to perform winter maintenance snow and ice removal, including plowing, hauling away, salting,  
24 and sanding.

1           **SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure.