

Sixty-second  
Legislative Assembly  
of North Dakota

**SENATE BILL NO. 2157**

Introduced by

Senators Heckaman, Andrist, Nodland

Representatives Devlin, Guggisberg, Klein

A BILL for an Act to create and enact ~~atwo~~ new ~~subdivision~~subdivisions to subsection 2 of section 39-06.1-06 and a new paragraph to subdivision a of subsection 3 of section 39-06.1-10 of the North Dakota Century Code, relating to the fee and demerit points for entering a road closed due to hazardous conditions; to amend and reenact section 39-10-21.1 of the North Dakota Century Code, relating to entering a closed road; and to provide a penalty.

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

**SECTION 1.** ~~A~~Two new ~~subdivision~~subdivisions to subsection 2 of section 39-06.1-06 of the North Dakota Century Code ~~is~~are created and enacted as follows:

A violation of subsection 3 of section 39-10-21.1, a fee of one hundred dollars.

A violation of subsection 2 of section 39-10-21.1, a fee of two hundred fifty dollars.

**SECTION 2.** A new paragraph to subdivision a of subsection 3 of section 39-06.1-10 of the North Dakota Century Code is created and enacted as follows:

Entering a closed road in violation of subsection 2 of section 39-10-21.1 4 points

**SECTION 3. AMENDMENT.** Section 39-10-21.1 of the North Dakota Century Code is amended and reenacted as follows:

**39-10-21.1. Closing road because of hazardous conditions - Posting of official traffic-control devices - Entering closed road prohibited.**

1. The highway patrol or local law enforcement authorities having jurisdiction over a road may close a road temporarily due to hazardous conditions for the protection and safety of the public. If such a closing is made, the authority ordering the closing shall make

every reasonable attempt to notify the public and, when practical, may post appropriate official traffic-control devices to advise motorists of the closing. ~~No person~~

2. An individual, while operating a motor vehicle, may not knowingly enter a road closed ~~under this section~~ which is posted with an appropriate traffic-control device at the point of entry.

3. An individual, while operating a motor vehicle, may not knowingly enter a road that is closed through reasonable public notification by law enforcement and which is not posted with an appropriate traffic-control device at the point of entry.

4. The highway patrol or local law enforcement having jurisdiction over a road may require an individual to pay the expenses of that law enforcement agency in providing assistance to that individual if that individual has been cited for violation of subsection 2 and was assisted by that law enforcement agency. The law enforcement agency may retain and hold a possessory lien in any vehicle used in relation to a violation of subsection 2.