

Sixty-second  
Legislative Assembly  
of North Dakota

**ENGROSSED SENATE BILL NO. 2157**

Introduced by

Senators Heckaman, Andrist, Nodland

Representatives Devlin, Guggisberg, Klein

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

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

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

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

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

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

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

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

18 **39-10-21.1. Closing road because of hazardous conditions - Posting of official**  
19 **traffic-control devices - Entering closed road prohibited.**

20 1. The highway patrol or local law enforcement authorities having jurisdiction over a road  
21 may close a road temporarily due to hazardous conditions for the protection and safety  
22 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.