

Sixty-ninth  
Legislative Assembly  
of North Dakota

**FIRST ENGROSSMENT  
with House Amendments**

**ENGROSSED SENATE BILL NO. 2132**

Introduced by

Senators Rummel, Clemens, Davison, Boehm

Representatives Schauer, Novak

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 and causing injury to the operator of an authorized emergency  
3 vehicle or damage to an authorized emergency vehicle; and to provide a penalty.

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.**

8 ~~No person~~

9 1. An individual may not drive a vehicle at a speed greater than is reasonable and  
10 prudent under the conditions and ~~having~~shall drive with regard to ~~the existing~~ actual  
11 and potential hazards ~~then existing. Consistent with the foregoing, every person.~~ An  
12 individual shall drive at a safe and appropriate speed when approaching and crossing  
13 an intersection or railroad grade crossing, when approaching and going around a  
14 curve, when approaching a hill crest, when traveling upon any narrow or winding  
15 roadway, and when special hazards exist with respect to pedestrians ~~or~~ other traffic ~~or~~  
16 ~~by reason of~~ weather, or highway conditions. ~~Any person~~ An individual who drives a  
17 vehicle upon a highway or private or public property open to the public for the  
18 operation of motor vehicles ~~without heed to~~ in violation of the requirements or  
19 restrictions of this section ~~has committed~~ is guilty of careless driving and must be  
20 assessed a fee of ~~thirtyone~~ one hundred dollars.

21 ~~Any person who, by reason of careless driving as herein defined, causes~~

- 1        2. An individual is guilty of an infraction if the individual violates subsection 1 of this  
2        section and:
- 3        a. Causes and inflicts injury upon the person of an operator of snow removal  
4        equipment engaged in snow removal operations ~~or causes;~~
- 5        b. Causes and inflicts injury on the person of:
- 6        (1) A first responder acting within their official capacity and displaying a visible  
7        flashing, revolving, or rotating blue, white, or red light, or hazard warning  
8        signal, while stationary on the side of a roadway;
- 9        (2) The operator or occupant of an authorized emergency vehicle acting within  
10       their official capacity and displaying a visible flashing, revolving, or rotating  
11       blue, white, or red light, or hazard warning signal, while stationary on the  
12       side of a roadway; or
- 13       (3) An individual assisting another individual displaying a visible hazard warning  
14       light while stationary on the side of a roadway;
- 15       c. Causes damage in excess of one thousand~~four thousand~~ dollars to snow  
16       removal equipment engaged in snow removal ~~is guilty of an infraction; or~~
- 17       d. Causes damage in excess of four thousand dollars to an authorized emergency  
18       vehicle.
- 19       3. As used in this section, "snow removal equipment" means a vehicle that is operated  
20       by ~~a person~~ an individual employed by or on behalf of an authority in charge of the  
21       maintenance of the highway to perform winter maintenance snow and ice removal,  
22       including plowing, hauling away, salting, and sanding.