

Fifty-fifth
Legislative Assembly
of North Dakota

SENATE BILL NO. 2090

Introduced by

Senator Lips

(At the request of the Department of Transportation)

1 A BILL for an Act to create and enact a new paragraph to subdivision a of subsection 3 of
2 section 39-06.1-10 of the North Dakota Century Code, relating to aggravated careless driving
3 involving snow removal equipment; to amend and reenact section 39-09-01 of the North Dakota
4 Century Code, relating to aggravated careless driving involving snow removal equipment; to
5 provide a penalty; and to declare an emergency.

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

7 **SECTION 1.** A new paragraph to subdivision a of subsection 3 of section 39-06.1-10 of
8 the 1995 Supplement to the North Dakota Century Code is created and enacted as follows:

9 Aggravated careless 6 points
10 driving in violation of
11 section 39-09-01, or
12 equivalent ordinance

13 **SECTION 2. AMENDMENT.** Section 39-09-01 of the North Dakota Century Code is
14 amended and reenacted as follows:

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

1 Any person who, by reason of careless driving as herein defined, causes and inflicts
2 injury upon the person of an operator of snow removal equipment engaged in snow removal
3 operations or causes damage in excess of one thousand dollars to snow removal equipment
4 engaged in snow removal has committed aggravated careless driving and is guilty of an
5 infraction.

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

10 **SECTION 3. EMERGENCY.** This Act is declared to be an emergency measure.