

SENATE BILL NO. 2165

Introduced by

Senators Heitkamp, Erbele

Representatives Brandenburg, Gulleason, R. Kelsch

1 A BILL for an Act to amend and reenact section 39-20-01.1 of the North Dakota Century Code,
2 relating to the chemical test of a driver in an accident.

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

4 **SECTION 1. AMENDMENT.** Section 39-20-01.1 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **39-20-01.1. Chemical test of driver in serious bodily injury or fatal crashes.**

7 Notwithstanding section 39-20-01 or 39-20-04, when the driver of a vehicle is involved in an
8 accident resulting in the death or serious bodily injury, as defined in section 12.1-01-04, of
9 another person, and there is probable cause to believe that the driver is in violation of section
10 39-08-01, ~~the driver may be compelled by a police~~ a law enforcement officer investigating the
11 accident shall compel the driver to submit to a test or tests of the driver's blood, breath, saliva,
12 or urine to determine the alcohol concentration or the presence of other drugs or substances.