

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~~^a new ~~subdivisions~~^{subdivision} to subsection 2 of
2 section 39-06.1-06 ~~and a new paragraph to subdivision a of subsection 3 of section 39-06.1-10~~
3 of the North Dakota Century Code, relating to the fee ~~and demerit points~~ for entering a road
4 closed due to hazardous conditions; to amend and reenact section 39-10-21.1 of the North
5 Dakota 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~~^A new ~~subdivisions~~^{subdivision} to subsection 2 of section 39-06.1-06 of the
8 North Dakota Century Code ~~are~~^{is} 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 2. 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

- 1 every reasonable attempt to notify the public and, when practical, may post
2 appropriate official traffic-control devices to advise motorists of the closing. No person
3 2. An individual, while operating a motor vehicle, may not knowingly enter a road closed
4 under this section which is posted with an appropriate traffic-control device at the point
5 of entry.
- 6 ~~3. An individual, while operating a motor vehicle, may not knowingly enter a road that is~~
7 ~~closed through reasonable public notification by law enforcement and which is not~~
8 ~~posted with an appropriate traffic-control device at the point of entry.~~
- 9 ~~4. The highway patrol or local law enforcement having jurisdiction over a road may~~
10 ~~require an individual to pay the expenses of that law enforcement agency in providing~~
11 ~~assistance to that individual if that individual has been cited for violation of~~
12 ~~subsection 2 and was assisted by that law enforcement agency. The law enforcement~~
13 ~~agency may retain and hold a possessory lien in any vehicle used in relation to a~~
14 ~~violation of subsection 2.~~