

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 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~~willfully enter a road
4 closed under this section which is posted with an appropriate traffic-control device at
5 the point of entry.
- 6 3. An individual, while operating a motor vehicle, may not ~~knowingly~~willfully enter a road
7 that is closed through reasonable public notification by law enforcement and which is
8 not 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.~~