

**FIRST ENGROSSMENT
with Senate Amendments
ENGROSSED HOUSE BILL NO. 1061**

Introduced by

Transportation Committee

(At the request of the Highway Patrol)

1 A BILL for an Act to create and enact a new subsection to section 39-21-39 and section
2 39-21-39.1 of the North Dakota Century Code, relating to windows impairing vision of a driver;
3 and to amend and reenact paragraph 16 of subdivision a of subsection 3 of section 39-06.1-10
4 and sections 39-10-16 and 39-10-24 of the North Dakota Century Code, relating to entries
5 against driving record, rotary traffic islands, and stop and yield signs.

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

7 **SECTION 1. AMENDMENT.** Paragraph 16 of subdivision a of subsection 3 of section
8 39-06.1-10 of the North Dakota Century Code is amended and reenacted as follows:

9 (16) Driving on wrong side of road in violation of 2 points
10 section 39-10-08, 39-10-14, or
11 subsection 1, 2, or 3 of section 39-10-16, or
12 equivalent ordinances

13 **SECTION 2. AMENDMENT.** Section 39-10-16 of the North Dakota Century Code is
14 amended and reenacted as follows:

15 **39-10-16. One-way roadways and rotary traffic islands.**

- 16 1. The director and local authorities with respect to highways under their respective
17 jurisdictions may designate any highway, roadway, part of a roadway, or specific lanes
18 upon which vehicular traffic shall proceed in one direction at all or such times as shall
19 be indicated by official traffic-control devices.
- 20 2. Upon a roadway so designated for one-way traffic, a vehicle shall be driven only in the
21 direction designated at all or at such times as shall be indicated by official
22 traffic-control devices.
- 23 3. A vehicle passing around a rotary traffic island must be driven only to the right of such
24 island.

- 1 4. After a vehicle enters a rotary traffic island, the vehicle may not exit from any position
2 within the rotary traffic island without first giving a signal of intention to exit the rotary
3 traffic island.

4 **SECTION 3. AMENDMENT.** Section 39-10-24 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **39-10-24. Stop signs and yield signs.**

- 7 1. Preferential right of way may be indicated by stop signs or yield signs as authorized in
8 section 39-07-03.
- 9 2. Except when directed to proceed by a police officer, every driver of a vehicle
10 approaching a stop sign shall stop at a clearly marked stop line, or, if none, then at the
11 point nearest the intersecting roadway where the driver has a view of approaching
12 traffic on the intersecting roadway before entering it. After having stopped, the driver
13 shall yield the right of way to any vehicle in the intersection or approaching on another
14 roadway so closely as to constitute an immediate hazard during the time when such
15 driver is moving across or within the intersection or junction of roadways and shall
16 yield the right of way to any other vehicle previously stopped for another stop sign at
17 the intersection if the intersection is clear for each driver to proceed.
- 18 3. The driver of a vehicle approaching a yield sign shall in obedience to such sign slow
19 down to a speed reasonable for the existing conditions and, if required for safety to
20 stop, shall stop at a clearly marked stop line, or, if none, before entering the crosswalk
21 on the near side of the intersection, or, if none, then at the point nearest the
22 intersecting roadway where the driver has a view of approaching traffic on the
23 intersecting roadway before entering it. After slowing or stopping, the driver shall yield
24 the right of way to any vehicle in the intersection or approaching on another roadway
25 so closely as to constitute an immediate hazard during the time such driver is moving
26 across or within the intersection or junction of roadways. Provided, however, that if a
27 driver is involved in a collision with a vehicle in the intersection or junction of roadways
28 after driving past a yield sign without stopping, such collision is deemed prima facie
29 evidence of the driver's failure to yield the right of way.

30 **SECTION 4.** A new subsection to section 39-21-39 of the North Dakota Century Code is
31 created and enacted as follows:

1 Subsection 4 does not apply to nonreflective sunscreening or window tinting material
2 above the AS-1 line or within the top five inches [12.7 centimeters] of the windshield.

3 **SECTION 5.** Section 39-21-39.1 of the North Dakota Century Code is created and enacted
4 as follows:

5 **39-21-39.1. Windshield impairing vision of drivers.**

6 A windshield may not be shattered or in such a defective condition that the windshield
7 materially impairs or obstructs the driver's clear view.