

TESTIMONY OF

Sergeant Wade Kadrmas

Good morning, Chairman Ruby and members of the House Transportation Committee, my name is Wade Kadrmas, and I am the Safety and Education Officer for the North Dakota Highway Patrol. I am here today on behalf of my agency in support of House Bill 1061, which was introduced as an agency bill. The NDHP submitted this bill to clarify who has the right of way at stop signs as well as to provide guidance for when window damage is too severe for safe driving.

New drivers learn rules of the road through driver education courses and by studying North Dakota Department of Transportation's Noncommercial Driver's License Manual. One basic rule of the road is that the first vehicle to stop at a stop sign is the first vehicle that can proceed when the intersection is clear. Current law does not coincide with this basic rule as taught in driver education or through study to prepare for the permit test.

Current law requires drivers to yield the right of way to any vehicle in the intersection. This can be interpreted to mean that the first vehicle to enter the intersection has the right of way, not the first driver to stop has the right of way. The NDHP believes the attached amendment would clarify which driver has the right of way. This amendment adds the words "and the intersection is clear for each driver to proceed". The patrol believes this suggested change provides clarity for the right of way at stop signs and provides consistency to current education provided to new drivers.

Section two of the bill addresses damaged windows that impair a driver's view of the roadway. Currently under subsection 2 of section 39-21-46 of the North Dakota Century Code, an officer can stop a vehicle if they believe the damaged window is in such an unsafe condition that it endangers a person by impairing the view of a driver. The penalty for this violation is an infraction which requires a court appearance with a potential fine of two hundred and fifty dollars. The new section provides guidance that the front or side windows may not be cracked, broken, shattered, or distorted to the extent it impairs the vision of the driver. The new section would make this a \$20 fine, no points and not require a court appearance unless requested by the cited driver.

There are examples on page two of damaged windows that impair a driver's view of the roadway. These window conditions are also distractions and can reflect light from the sun, streetlights, and headlights that hinder a driver's vision. Thank you for your time and consideration of these proposed changes.

