

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2285

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact sections 39-08-08 and 39-08-09 of the North Dakota Century Code, relating to the duty when striking highway fixtures or other property and immediate notice of accident; and to provide a penalty.

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

**SECTION 1. AMENDMENT.** Section 39-08-08 of the North Dakota Century Code is amended and reenacted as follows:

**39-08-08. Duty upon striking highway fixtures or other property - Penalty.**

The driver of any vehicle involved in a crash resulting only in damage to highway fixtures or other property shall take reasonable steps to locate and notify the owner or person in charge of the property of the damage. The driver shall provide the driver's name, address, and registration number of the vehicle the driver is driving and shall upon request and if available exhibit the driver's, operator's, or chauffeur's license. The driver shall make report of the crash when and as required in section 39-08-09. The driver shall provide the name of the motor vehicle insurance policy carrier and the policy number of the driver, or if the driver is not the owner of the vehicle, then the motor vehicle insurance policy carrier and the policy number of the owner of the vehicle, to the owner or person in charge of the damaged property or to the law enforcement officer investigating the crash. A driver who violates this section is guilty of an infraction for a first offense and a class B misdemeanor for a second or subsequent offense in a three-year period.

**SECTION 2. AMENDMENT.** Section 39-08-09 of the North Dakota Century Code is amended and reenacted as follows:

**39-08-09. Immediate notice of accident - Penalty.**

1. The driver of a vehicle involved in an accident resulting in injury to or death of any individual, or property damage to an apparent extent of at least four thousand dollars, shall immediately give notice of the accident to the local police department if the accident occurs within a municipality, otherwise to the office of the county sheriff or the state highway patrol.
  - a. A driver who violates this section ~~must be assessed a fine of fifty dollars~~ is guilty of a class A misdemeanor.
  - b. The name of the motor vehicle insurance policy carrier and the policy number of the driver, or if the driver is not the owner of the vehicle, then the motor vehicle insurance policy carrier and the policy number of the owner of the vehicle, must be furnished to the law enforcement officer investigating the accident.

- c. If the driver does not have the required information concerning insurance to furnish to the investigating law enforcement officer, then within five days of the accident the driver shall supply that information to the driver's license division in the form the division requires.
- 2. The director may suspend the license or permit to drive and any nonresident operating privileges of any person failing to comply with the duties as provided in sections 39-08-06 through 39-08-09 until those duties have been fulfilled, and the director may extend the suspension not to exceed thirty days.
- 3. The driver of a vehicle involved in an accident with an undomesticated animal resulting in property damage only to the driver's vehicle is exempt from the notice requirements of this section, regardless of the amount of damage to the driver's vehicle."

Renumber accordingly