

68<sup>th</sup> Legislative Assembly  
Testimony in Support of  
House Bill No. 1061  
Senate Transportation Committee  
February 16, 2023

Good morning, Chairman Clemens and members of the Senate Transportation Committee, my name is Robyn Krile. I have 18 years of law enforcement experience in North Dakota and currently serve as the Chief of Police for the City of Lincoln. I am here on behalf of my agency in support of House Bill 1061 as amended.

We have seen an increase in construction of roundabouts and they have become commonplace in many areas throughout the state. There are eight roundabouts in the Bismarck-Mandan Lincoln metropolitan area, and soon to be a ninth. The intent of this amendment to House Bill 1061 is not to create or change any current law, but only to clarify it for the lane merging when exiting roundabouts.

Turn signals are one of the few ways we can communicate with the drivers around us. Turn signal use by a driver preparing to exit a roundabout indicates to the drivers preparing to enter the roundabout that the lane of travel the entering vehicle is needing to obtain will be available. The efficiency of roundabouts are diminished when the driver fails to signal their intent to leave the roundabout as it causes those vehicles attempting to enter the roundabout to halt when they don't need to. This can result in delaying the traffic pattern during heavy traffic times, defeating the roundabouts' purpose of efficiently flowing traffic through the intersection from all access points.

The North Dakota non-commercial driver's license manual says,

*5. Stay in your lane within the roundabout and use your right-turn signal when exiting.* (Page 23 of the non-commercial manual).

However, Lincoln has had some of our traffic stops for failure to use a turn signal when exiting a roundabout, challenged in court due to North Dakota's current law not expressly stating that the use of a turn signal when exiting a roundabout is required. Two Lincoln cases were challenged in the N.D. Supreme Court. The ND Supreme Court did rule that we were reasonable in our stop; however, in the City of Lincoln V Schuler case, Justice Tufte made the statement;

*"the legislature has amended this statute effective August 2021, but I do not believe the amendment provides much additional clarity about turn signal requirements in relation to roundabouts."* (Page 6 Paragraph 17 of the N.D. Supreme Court ruling).

Since the N.D. Supreme court ruling, a Burleigh County Sheriffs Department case had the evidence suppressed by South Central Judicial District Judge David Reich, who says;

*"it's physically impossible for a driver to comply with the turn signal requirements of N.D.C.C. 39-10-38(2) in a roundabout situation* (Page 6 Paragraph 15 of the 08-2022-cr-1415.pdf).

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This amendment to House Bill 1061 addresses District Judge Reich's concern as it would do away with the 100-foot requirement required in N.D.C.C. 39-10-38(2) when concerning roundabouts which is necessary due to the size of some of the smaller roundabouts. It also addresses the North Dakota Supreme Courts concern regarding the need for clarity about turn signal requirements in relation to roundabouts.

In conclusion, this language regarding turn signal use while exiting a roundabout would provide a standard for roundabouts in North Dakota. It would provide drivers notice of what is a violation, give guidance to our law enforcement officers, and is consistent with what the North Dakota Department of Transportation is teaching in their noncommercial driver's license manual.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Chief Robyn Krile". The signature is written in a cursive, flowing style.

Chief Robyn Krile