

CHAPTER 24-15 TEMPORARY ROADBLOCKS

24-15-01. Definition.

For the purpose of this chapter, a temporary roadblock means any structure, device, or means used by police, sheriffs, deputy sheriffs, game wardens, highway patrol troopers, agents of the federal bureau of investigation, or officers of the United States border patrol, for the purpose of controlling traffic through a point on a highway, road, or street, whereby all vehicles may be slowed or stopped.

24-15-02. Authority to establish roadblocks.

The duly authorized law enforcement officers are hereby authorized to establish in their respective jurisdictions, or in other jurisdictions within the state, temporary roadblocks upon the highways, roads, and streets of this state for the purpose of apprehending persons wanted for violation of the laws of this state, or of any other state, or of the United States of America, and using the highways, roads, or streets of this state for the purpose of escape.

24-15-03. Minimum requirements.

For the purpose of warning and protecting the traveling public, the minimum requirements to be met by such officers establishing temporary roadblocks are:

1. The temporary roadblock must be established at a point on the highway clearly visible at a distance of not less than three hundred feet [91.44 meters] in either direction.
2. At a point of the temporary roadblock, at least one red light must be placed at the point of the temporary roadblock which must display an intermittent or flashing beam of light, clearly visible to the oncoming traffic at a distance of not less than three hundred feet [91.44 meters] under normal atmospheric conditions. The intermittent or flashing beam of light may be provided by lighting which is part of the equipment of a class A authorized emergency vehicle.

24-15-04. Existing law preserved.

Nothing in this chapter may be deemed to limit or encroach upon the existing authority of North Dakota law enforcement officers in the performance of their duties involving traffic control and criminal apprehension.

24-15-05. Penalty.

Any person who proceeds or travels through a roadblock without submitting to the traffic control so established is guilty of a class B misdemeanor.