

SENATE BILL NO. 2351

Introduced by

Senators Potter, Lyson

1 A BILL for an Act to amend and reenact section 39-08-03.1 of the North Dakota Century Code,
2 relating to exhibition driving.

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

4 **SECTION 1. AMENDMENT.** Section 39-08-03.1 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **39-08-03.1. Exhibition driving and drag racing - Definitions - Penalty.**

- 7 1. ~~No person~~ An individual may not engage in exhibition driving of any vehicle on a
8 highway, street, alley, sidewalk, or any public or private parking lot or area, ~~nor,~~
9 2. An individual may ~~any person~~ not engage in a race, a speed competition, drag race
10 or acceleration contest, test of physical endurance, or exhibition of speed or
11 acceleration. ~~Any person~~
12 3. An individual who violates ~~this section by engaging in an act defined by~~
13 ~~subdivision b of subsection 2 1~~ must be assessed a fee of fifty dollars. ~~Any person~~
14 An individual who violates ~~this section by engaging in an act defined by~~
15 ~~subdivision a or c of subsection 2~~ must be assessed a fee of one hundred dollars.
16 ~~2.~~ 4. As used in this section:
17 a. "Drag race" means the operation of two or more vehicles from a point side by
18 side by accelerating rapidly in a competitive attempt to cause one vehicle to
19 outdistance the other; or the operation of one or more vehicles over a
20 common selected course from the same point to the same point for the
21 purpose of comparing the relative speed or powers of acceleration of such
22 vehicle or vehicles within a certain distance or time limit.
23 b. "Exhibition driving" means driving a vehicle in a manner ~~which that~~ disturbs
24 the peace by creating or causing unnecessary engine noise, tire squeal, skid,

1 or slide upon acceleration or braking; ~~or~~ driving and executing or attempting
2 one or a series of unnecessarily abrupt turns; driving a vehicle in a manner
3 that results in a vehicle's tire leaving the surface of the highway; or driving a
4 vehicle with an adjustable suspension and having an individual in the vehicle
5 raise and lower the vehicle while in motion through means other than the
6 natural contours of the road.

7 c. "Race" means the use of one or more vehicles in an attempt to outgain,
8 outdistance or to arrive at a given distance ahead of another vehicle or
9 vehicles; or the use of one or more vehicles to willfully prevent another vehicle
10 from passing the racing vehicle or vehicles, or to test the physical stamina or
11 endurance of the persons driving the vehicles over a long-distance driving
12 route.

13 ~~3.~~ 5. Nothing in this section ~~shall be construed as prohibiting~~ prohibits drag racing,
14 exhibition driving, or similar events when carried out in an organized manner on a
15 track or other privately owned area specifically set aside and used solely for such
16 purposes by drivers of motor vehicles, including snowmobiles.