

House Bill 1128
House Transportation Committee
Representative Ruby, Chairman
January 14, 2021

Good morning Mr. Chairman and members of the House Transportation Committee. My name is Tom Iverson and I am the Chief of Operations for the North Dakota Highway Patrol. I am here in support of HB 1128 which would amend NDCC 39-10-21.1 related to driving on a closed road.

This bill addresses a concern that our officers face each winter on our roadways. The concern has been amplified in recent years as we have seen a large number of drivers ignore road closures and have chosen to put their lives at risk during severe winter storms. The road has been closed for safety reasons, and chances are it is completely impassable. The driver is forced to call 911 as they are now stranded on the roadway, at which point law enforcement is dispatched to help rescue them. This past winter, our troopers spent numerous hours responding to these calls and rescuing these motorists from the roadway.

Currently, this section of law has been interpreted that a violation occurs only when the driver enters the roadway at the "point of entry" where the roadway was officially closed and marked with an appropriate traffic control device. For example, if a driver informs law enforcement that they traveled east of Bismarck on Old Highway 10, and then entered the interstate at Exit 170, they technically did not enter at the "point of entry" as not all exits on the interstate system are equipped with gates and traffic control devices. This language simply provides clarification that the driver may not enter a roadway that is closed or drive on a roadway that is closed. No matter where you enter the closed roadway, you are in violation of this section of law.

Mr. Chairman, this concludes my testimony, and I would be happy to answer any questions.