

**Sixty-eighth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 3, 2023**

HOUSE BILL NO. 1061
(Transportation Committee)
(At the request of the Highway Patrol)

AN ACT to create and enact a new subsection to section 39-21-39 and section 39-21-39.1 of the North Dakota Century Code, relating to windows impairing vision of a driver; and to amend and reenact paragraph 16 of subdivision a of subsection 3 of section 39-06.1-10 and sections 39-10-16 and 39-10-24 of the North Dakota Century Code, relating to entries against driving record, rotary traffic islands, and stop and yield signs.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Paragraph 16 of subdivision a of subsection 3 of section 39-06.1-10 of the North Dakota Century Code is amended and reenacted as follows:

- | | |
|--|----------|
| (16) Driving on wrong side of road in violation of section 39-10-08, 39-10-14, or <u>subsection 1, 2, or 3 of section 39-10-16, or equivalent ordinances</u> | 2 points |
|--|----------|

SECTION 2. AMENDMENT. Section 39-10-16 of the North Dakota Century Code is amended and reenacted as follows:

39-10-16. One-way roadways and rotary traffic islands.

1. The director and local authorities with respect to highways under their respective jurisdictions may designate any highway, roadway, part of a roadway, or specific lanes upon which vehicular traffic shall proceed in one direction at all or such times as shall be indicated by official traffic-control devices.
2. Upon a roadway so designated for one-way traffic, a vehicle shall be driven only in the direction designated at all or at such times as shall be indicated by official traffic-control devices.
3. A vehicle passing around a rotary traffic island must be driven only to the right of such island.
4. After a vehicle enters a rotary traffic island, the vehicle may not exit from any position within the rotary traffic island without first giving a signal of intention to exit the rotary traffic island.

SECTION 3. AMENDMENT. Section 39-10-24 of the North Dakota Century Code is amended and reenacted as follows:

39-10-24. Stop signs and yield signs.

1. Preferential right of way may be indicated by stop signs or yield signs as authorized in section 39-07-03.
2. Except when directed to proceed by a police officer, every driver of a vehicle approaching a stop sign shall stop at a clearly marked stop line, or, if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering it. After having stopped, the driver shall yield the right of way to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard during the time when such driver is moving across or within the intersection

or junction of roadways and shall yield the right of way to any other vehicle previously stopped for another stop sign at the intersection if the intersection is clear for each driver to proceed.

3. The driver of a vehicle approaching a yield sign shall in obedience to such sign slow down to a speed reasonable for the existing conditions and, if required for safety to stop, shall stop at a clearly marked stop line, or, if none, before entering the crosswalk on the near side of the intersection, or, if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering it. After slowing or stopping, the driver shall yield the right of way to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard during the time such driver is moving across or within the intersection or junction of roadways. Provided, however, that if a driver is involved in a collision with a vehicle in the intersection or junction of roadways after driving past a yield sign without stopping, such collision is deemed prima facie evidence of the driver's failure to yield the right of way.

SECTION 4. A new subsection to section 39-21-39 of the North Dakota Century Code is created and enacted as follows:

Subsection 4 does not apply to nonreflective sunscreening or window tinting material above the AS-1 line or within the top five inches [12.7 centimeters] of the windshield.

SECTION 5. Section 39-21-39.1 of the North Dakota Century Code is created and enacted as follows:

39-21-39.1. Windshield impairing vision of drivers.

A windshield may not be shattered or in such a defective condition that the windshield materially impairs or obstructs the driver's clear view.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-eighth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1061.

House Vote: Yeas 78 Nays 12 Absent 4

Senate Vote: Yeas 35 Nays 11 Absent 1

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2023.

Approved at _____ M. on _____, 2023.

Governor

Filed in this office this _____ day of _____, 2023,

at _____ o'clock _____ M.

Secretary of State