

HIGHWAYS, BRIDGES, AND FERRIES

CHAPTER 201

S. B. No. 79

(Redlin, Trenbeath, Hernett, Reichert)

INVENTORY OF HIGHWAY DEPARTMENT PROPERTY

AN ACT

Providing for a spot check of the perpetual physical property inventory of the state highway department by the state auditor and designating that cost thereof be paid from state highway funds.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

§ 1.) The state auditor shall be responsible for a spot check of the perpetual physical property inventory of the state highway department and the costs thereof shall be paid from the state highway fund; such cost not to exceed five thousand dollars annually.

Approved February 23, 1961.

CHAPTER 202

S. B. No. 76

(Garaas, Kee)

DESIGNATION OF THROUGH HIGHWAYS

AN ACT

To amend and reenact sections 24-01-15 and 39-07-03 of the North Dakota Century Code, relating to the designation of through highways.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. **Amendment.)** Section 24-01-15 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

24-01-15. Commissioner To Designate Through Highways.) The highway commissioner with reference to highways under his jurisdiction, may designate as through highways any state highway or part thereof by proclamation and erecting stop or

yield right-of-way signs at the entrances thereto where vehicles are not otherwise required by law to stop or yield right-of-way.

§ 2. **Amendment.)** Section 39-07-03 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

39-07-03. Through Highways Designated by Commissioner and Local Authorities; Drivers of Vehicles Required to Stop; Illuminating Signs.) The commissioner with reference to state highways, and local authorities, with reference to highways under their jurisdiction, may, by proclamation, designate as through highways, any highway, street, or part thereof, and erecting stop or yield right-of-way signs at the entrances thereto where vehicles are not otherwise required by law to stop or yield right-of-way. Whenever such signs have been erected, no driver of any vehicle shall fail to stop or yield right-of-way in obedience thereto. All such signs shall be illuminated at night or coated with reflectorizing paint and shall be so placed as to be illuminated by the headlights of an approaching vehicle or by street lights.

Approved February 23, 1961.

CHAPTER 203

S. B. No. 98

(Van Horn, Andre, Garaas, Mutch, Gefreh)

CONTRACTS WITHOUT ADVERTISEMENT

AN ACT

To amend and reenact sections 24-02-17 and 24-02-19 of the North Dakota Century Code, relating to the amount for which the highway commissioner may contract without advertising for bids.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. **Amendment.)** Section 24-02-17 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

24-02-17. Contracts—Bids.) Whenever the cost of any construction improvement shall exceed the sum of two thousand dollars, the department shall proceed to advertise the same, request bids, and award such contracts in the manner provided in this chapter. Whenever any proposed contract or work of the department shall be for a sum less than two thousand

dollars, it shall be discretionary with the department whether the same shall be awarded after advertising for bids. The department shall award such contracts in the manner provided in this chapter, but where contracts are in excess of one thousand dollars, the department shall request bids from as many contractors, manufacturers, and dealers as can be requested conveniently.

§ 2. Amendment.) Section 24-02-19 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

24-02-19. Request for Bids—How Advertised.) Any request for bids for construction work or the improvement of any state highway, or any structure in excess of two thousand dollars, shall be advertised by publication once a week for a period of two successive weeks, prior to the opening of such bids, in the official newspaper of the county in which the project is located. Such advertisement shall state where the bidder may inspect the plans and specifications, with whom bids shall be filed, and the time and place where bids shall be opened. Such place shall be the office of the department. All requests for bids for the purchase of equipment, materials, and supplies, exclusive of repairs to equipment in excess of the sum of two thousand dollars shall be advertised in the official newspaper of Burleigh County once a week for a period of two successive weeks prior to the opening of such bids.

Approved March 15, 1961.

CHAPTER 204

S. B. No. 145
(Fiedler and Hernet)

HIGHWAY SIGNS AND MARKINGS

AN ACT

To amend and reenact sections 24-03-09 and 24-12-04 of the North Dakota Century Code, relating to warning signs of road construction, injury to highway signs and markings and to provide for a reward for information leading to conviction of persons injuring highway signs.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. Amendment.) Section 24-03-09 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

24-03-09. Warning Signs of Road Construction.) Whenever the department or any county or township shall enter into a contract for the construction and improvement of any road or culvert, or bridge thereon, it, as a condition of such contract, shall provide therein that the contractor shall place suitable warning signs which can be read for a distance of one hundred feet in daytime, and also shall erect and place at night a red or white lantern or a torch or other effective device, of a type approved by the department, at both ends of such construction work, no less than three hundred feet therefrom, warning the public that such road is under construction or improvement and either is closed, or hazardous for travel thereon, and when a highway is so marked, the traveler shall proceed only with great care and diligence, but nothing contained in this section shall make any township, county or the state liable for the failure of any contractor to erect such warning signs.

§ 2. Amendment.) Section 24-12-04 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

24-12-04. Injury to Mileboards, Guideposts, Traffic Control Signals, Signs, or Markings.) No person shall remove, injure, or destroy any mileboard, milestone, or guidepost, traffic control signals, signs or markings, or any inscription thereon, erected or placed upon any highway, road or street by any public authority or by any contractor, subcontractor or employee engaged in construction activities pursuant to a contract with a public authority therefor.

§ 3.) The highway commissioner or any political subdivision of this state is hereby authorized to offer a reward, the amount of which shall be determined by the highway commissioner or the governing body of the political subdivision not exceeding however the sum of three hundred dollars, for any information leading to the conviction of any person or persons violating the provisions of 24-12-04.

Approved February 24, 1961.

CHAPTER 205

S. B. No. 148

(Brooks, Hernet, Thompson,
(Luick, Garaas, Fiedler)

ROAD MAPS AND TOURIST INFORMATION

AN ACT

To amend and reenact section 24-03-21 of the North Dakota Century Code, relating to the preparation and distribution of road maps and to authorize the highway commissioner to provide for the publication of tourist information, and declaring an emergency.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. **Amendment.**) Section 24-03-21 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

24-03-21. Preparation of Road Maps—Publication of Tourist Information.) The commissioner shall prepare for general distribution, road maps of the state highway system and such other roads as he shall deem necessary; and the commissioner may provide for publication, advertising, and dissemination of information concerning highways or such other publicity matter as he shall deem advisable to promote the use of North Dakota highways and attract tourists to the state or to prolong their stay in the state. However, expenditures made pursuant to the provisions of this section shall not exceed one hundred twenty-five thousand dollars in any biennium.

§ 2. **Emergency.)** This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval.

Approved March 9, 1961.

CHAPTER 206

S. B. No. 86
(Holand)

RAILROAD CROSSINGS

AN ACT

To amend and reenact sections 24-09-14 and 39-10-43 of the North Dakota Century Code, and to repeal section 24-09-07 of the North Dakota Century Code, relating to motor vehicles approaching, stopping, and proceeding through railroad crossings.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. **Amendment.)** Section 24-09-14 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

24-09-14. Failure to Stop at Crossing Does Not Affect Right to Recover for Injuries—Penalty.) The violation of the duties imposed under section 24-09-06 shall not affect the right of any person to recover damages for an injury, if such person was exercising due care at the time of such injury, but such person shall be liable to a fine of not to exceed ten dollars for each such violation.

§ 2. **Amendment.)** Section 39-10-43 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

39-10-43. Certain Vehicles Must Stop at All Railroad Grade Crossings—All Vehicles to Use Caution.)

1. The driver of any motor vehicle carrying passengers for hire, or of any school bus carrying any school child, or of any vehicle carrying explosive substances or flammable liquids as a cargo or part of a cargo, before crossing at grade any track or tracks of a railroad, shall stop such vehicle within fifty feet but not less than fifteen feet from the nearest rail of such railroad and while so stopped shall listen and look in both directions along such track for any approaching train, and for signals indicating the approach of a train, except as hereinafter provided, and shall not proceed until he can do so safely. After stopping as required herein and upon proceeding when it is safe to do so the driver of any said vehicle shall cross only in such gear of the vehicle that there will be no necessity for changing gears while traversing such crossing and the driver shall not shift gears while crossing the track or tracks;

2. No stop need be made at any such crossing where a police officer or a traffic-control signal directs traffic to proceed;
3. This section shall not apply at street-railway grade crossings within a business or residence district; and
4. The driver of any motor vehicle that is not required to stop at railroad crossings shall exercise caution in approaching and proceeding through all such crossings.

§ 3. **Repeal.**) Section 24-09-07 of the North Dakota Century Code is hereby repealed.

Approved February 25, 1961.

CHAPTER 207

S. B. No. 308

(Committee on Delayed Bills)

(By request of Committee on Appropriations)

HIGHWAY SAFETY COORDINATION

AN ACT

To create and enact section 24-14-04 of the North Dakota Century Code, relating to meetings of the highway commissioner, motor vehicle registrar, superintendent of the highway patrol, public safety director, and the director of the safety responsibility division of the state highway department for the purpose of coordination of all phases of highway and traffic safety.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

§ 1.) Section 24-14-04 of the North Dakota Century Code is hereby created and enacted to read as follows:

24-14-04. Coordination of Highway Safety—Meetings.) At least four times each year the highway commissioner, motor vehicle registrar, superintendent of the highway patrol, public safety director, and the director of the safety responsibility division of the state highway department shall meet for the purpose of coordinating all phases of highway and traffic safety and to make recommendations to the director of the public safety division regarding highway and traffic safety operations and policy. The highway commissioner shall act as chairman at all such meetings unless he is unable to act, in which case he shall appoint another member to preside at such meeting. In addition to coordination of highway and traffic safety, all of the above members shall cooperate as far as possible to insure that their respective departments carry

out highway and traffic safety policies established by such committee that may pertain to them. The members serving on this committee shall not receive any additional compensation for such service.

Approved March 4, 1961.