

2021 HOUSE TRANSPORTATION

HB 1128

2021 HOUSE STANDING COMMITTEE MINUTES

Transportation Committee Room JW327E, State Capitol

HB 1128

1/14/2021

A bill relating to prohibiting entering or driving on a closed road;

Chairman Ruby called the meeting to order at 8:59 AM. Present: Rep.

- Ruby, Rep Kading, Rep Becker, Rep Christensen, Rep Hagert, Rep Jones,
- Rep O'Brien, Rep Paulson, Rep Paur, Rep Weisz, Rep Westlind, Rep Hager and Rep Hanson. Members absent: Rep Owens

Discussion Topics

- May not drive on any closed road.
- Penalty \$250

9:00 **Chairman Ruby** opened the hearing on HB 1128.

9:02 **Representative Paur** introduced HB 1128.

9:04 **Major Tom Iverson, Chief of Operations, ND Highway Patrol**, spoke in support of the bill and provided testimony #831.

9:08 Committee discussion

9:33 **Chairman Ruby** closed the hearing on HB 1128.

9:35 **Representative Becker** moved a DO NOT PASS on HB 1128.

9:35 **Representative Jones** seconded the motion.

A roll call vote was taken.

Representatives	Vote
Representative Dan Ruby	Y
Representative Tom Kading	Y
Representative Rick Becker	Y
Representative Cole Christensen	Y
Representative LaurieBeth Hager	Y
Representative Jared C. Hagert	Y
Representative Karla Rose Hanson	N
Representative Terry B. Jones	Y
Representative Emily O'Brien	Y
Representative Mark S. Owens	Y
Representative Bob Paulson	Y
Representative Gary Paur	N
Representative Robin Weisz	Y
Representative Greg Westlind	N

The motion passed. 10-3-1 **Representative Becker** will carry the bill.

9:41 **Chairman Ruby** closed the meeting.

Jeanette Cook, Committee Clerk

REPORT OF STANDING COMMITTEE

HB 1128: Transportation Committee (Rep. D. Ruby, Chairman) recommends **DO NOT PASS** (10 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HB 1128 was placed on the Eleventh order on the calendar.

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.