

2023 SENATE TRANSPORTATION

SB 2285

2023 SENATE STANDING COMMITTEE MINUTES

Transportation Committee
Fort Totten Room, State Capitol

SB 2285
1/26/2023

Relating to crashes involving damage to property; and to provide a penalty.

2:17 PM Chairman Clemens opens hearing.

Senator Present: **Clemens, Conley, Larsen, Rummel, Paulson.**

Discussion Topics:

- Domesticated animals
- Proposed amendment
- Bill language
- Livestock

2:18 PM Senator Donald Schaible introduced bill. #16651

2:18 PM Kyle Christenson, Chief Deputy of Hettinger County, in favor. #16878

2:25 PM Chairman Clemens adjourns hearing.

2:26 PM Chairman Clemens opens meeting.

2:26 PM Sheriff Warner, Hettinger County, in favor.

2:43 PM Kyle Christenson, Chief Deputy of Hettinger County, in favor.

2:46 PM Senator Larsen moved amendment "39-08-08 page one line 11 remove page one line 8 domesticated animal,".

2:46 PM Senator Rummel seconded.

Senators	Vote
Senator David A. Clemens	Y
Senator Cole Conley	Y
Senator Doug Larsen	Y
Senator Bob Paulson	Y
Senator Dean Rummel	Y

Motion passed. 5-0-0

2:47 PM Senator Larsen motioned a Do Pass as Amended.

2:48 PM Senator Rummel Seconded.

Senators	Vote
Senator David A. Clemens	Y
Senator Cole Conley	Y
Senator Doug Larsen	Y
Senator Bob Paulson	Y
Senator Dean Rummel	Y

Motion passed. 5-0-0

2:48 PM Senator Rummel will carry.

Additional written testimony:

Wade Kadrmas #17065

2:50 PM Chairman Clemens adjourns meeting.

Nathan Liesen, Committee Clerk

January 26, 2023

AG
1-26-23
(1-1)

PROPOSED AMENDMENTS TO SENATE BILL NO. 2285

Page 1, line 8, remove "domesticated animal."

Page 1, line 11, overstrike "section" and insert immediately thereafter "sections"

Page 1, line 11, after "39-08-06" insert ", 39-08-08."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2285: Transportation Committee (Sen. Clemens, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2285 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, line 8, remove "domesticated animal."

Page 1, line 11, overstrike "section" and insert immediately thereafter "sections"

Page 1, line 11, after "39-08-06" insert ". 39-08-08."

Renumber accordingly

2023 HOUSE TRANSPORTATION

SB 2285

2023 HOUSE STANDING COMMITTEE MINUTES

Transportation Committee
Room JW327E, State Capitol

SB 2285
3/9/2023

A bill relating to crashes involving damage to property.
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Chairman D. Ruby opened the hearing at 10:51AM.

Members present: Chairman Ruby, Vice Chairman Grueneich, Representatives Anderson, Christensen, Dyk, Frelich, Hauck, Koppelman, Murphy, Timmons, Wagner, Weisz, Dakane, Dobervich. No members absent.

Discussion Topics:

- Property damage crashes
- Crash scene violations

Senator Schaible introduced the bill in support (#23355).

Tom Iverson, Chief of Operations with the North Dakota Highway Patrol, testified in support (#23047).

Additional written testimony:

Kyle Christenson, Chief Deputy with Hettinger County Sheriff's Office, testimony in support #22417.

Chairman D. Ruby closed the hearing at 11:09AM.

Mary Brucker, Committee Clerk

2023 HOUSE STANDING COMMITTEE MINUTES

Transportation Committee
Room JW327E, State Capitol

SB 2285
3/23/2023

A bill relating to crashes involving damage to property.

Chairman D. Ruby opened the meeting at 9:22 AM.

Members present: Chairman Ruby, Vice Chairman Grueneich, Representatives Anderson, Christensen, Dyk, Frelich, Hauck, Koppelman, Murphy, Timmons, Wagner, Weisz, Dakane, Dobervich. No members absent.

Discussion Topics:

- Committee discussion
- Committee vote

Representative Dobervich moved a Do Pass.

Representative Murphy seconded the motion.

Representative Dobervich withdrew her motion.

Representative Koppelman moved a Do Not Pass.

Representative K. Anderson seconded the motion.

Roll call vote:

Representatives	Vote
Representative Dan Ruby	Y
Representative Jim Grueneich	Y
Representative Karen A. Anderson	Y
Representative Cole Christensen	Y
Representative Hamida Dakane	Y
Representative Gretchen Dobervich	N
Representative Scott Dyk	Y
Representative Kathy Frelich	Y
Representative Dori Hauck	Y
Representative Ben Koppelman	Y
Representative Eric James Murphy	Y
Representative Kelby Timmons	Y
Representative Scott Wagner	Y
Representative Robin Weisz	Y

Motion carried 13-1-0

House Transportation Committee

SB 2285

March 23, 2023

Page 2

Representative Wagner is the bill carrier.

Chairman D. Ruby adjourned at 9:36 AM.

Mary Brucker, Committee Clerk

REPORT OF STANDING COMMITTEE

SB 2285, as engrossed: Transportation Committee (Rep. D. Ruby, Chairman)
recommends **DO NOT PASS** (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING).
Engrossed SB 2285 was placed on the Fourteenth order on the calendar.

2023 HOUSE STANDING COMMITTEE MINUTES

Transportation Committee
Room JW327E, State Capitol

SB 2285
3/30/2023

A bill relating to crashes involving damage to property.

Chairman D. Ruby opened the meeting at 10:03 AM.

Members present: Chairman Ruby, Vice Chairman Grueneich, Representatives Anderson, Christensen, Dyk, Frelich, Hauck, Koppelman, Murphy, Timmons, Wagner, Weisz, Dakane, Dobervich. No members absent.

Discussion Topics:

- Reconsideration
- Proposed amendments
- Fleeing the scene of a crash
- Penalties on crashes
- Restitution
- Committee vote

Representative Dobervich moved to reconsider our actions.

Representative Dakane seconded the motion.

Voice vote-motion carried.

Representative Wagner distributed proposed amendments 23.0987.02005 (#27071), 23.0987.02001 (#27063), and 23.0987.02002 (#27065) and explained them to the committee.

Sarah Warner, Hettinger County Sheriff, explained their position on the bill.

Representative Grueneich moved a Do Not Pass.

Representative Weisz seconded the motion.

Roll call vote:

Representatives	Vote
Representative Dan Ruby	Y
Representative Jim Grueneich	Y
Representative Karen A. Anderson	Y
Representative Cole Christensen	Y
Representative Hamida Dakane	Y
Representative Gretchen Dobervich	N
Representative Scott Dyk	Y

Representative Kathy Frelich	Y
Representative Dori Hauck	Y
Representative Ben Koppelman	Y
Representative Eric James Murphy	Y
Representative Kelby Timmons	Y
Representative Scott Wagner	N
Representative Robin Weisz	Y

Motion carried 12-2-0

Representative Dakane is the bill carrier.

Chairman D. Ruby adjourned 10:59 AM.

Mary Brucker, Committee Clerk

REPORT OF STANDING COMMITTEE

SB 2285, as engrossed: Transportation Committee (Rep. D. Ruby, Chairman)
recommends **DO NOT PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING).
Engrossed SB 2285 was placed on the Fourteenth order on the calendar.

TESTIMONY

SB 2285

Intro for SB 2285 crashes involving damage to property

Jan 26, 2023

Good afternoon, Chairman Clemens and the Transportation Committee

For the record, I am Senator Don Schaible, District 31, here to introduce SB 2285 at the request of some of our local Sherriff Departments with an issue they have with Sec 38-08-05 with damage to vehicles.

It is my understanding that this section deals with damage to vehicles and does not address damage that may accrue with other property. The improvement to this bill asks to include other property. And now you have the total knowledge that I have on this subject and I would like to turn this over to the real experts behind me.

I would try to answer any questions you may have.



Hettinger County Sheriff's Office

Sheriff Sarah D. Warner

01/26/2023

Transportation Committee
North Dakota State Capitol
600 East Boulevard
Bismarck, ND 58505

RE: Testimony in support of Senate Bill 2285

Mr. Chairman, and members of the Transportation Committee, my name is Kyle Christenson. I am Chief Deputy of Hettinger County Sheriff's Office.

I support SB 2285 because it will allow peace officers investigating crashes, and the states attorneys prosecuting the offenders, to better enforce reasonable penalties for so-called "hit and run" crashes.

North Dakota Century Code § 39-08-05 currently reads, in part, *"The driver of any vehicle involved in a crash resulting only in property damage to the driver's vehicle or any other vehicle shall immediately stop[...]Any person failing to stop or comply with the requirements in this section is guilty of a class B misdemeanor."*

The inclusion of the word "only", when taken in context with the statute as a whole, leads to the implication that a person may be charged with a class B Misdemeanor if they fail to return to the scene of a crash *only* if they caused damage to their vehicle or another vehicle. If any other object is damaged, no longer has *only* a vehicle been damaged. Thus, § 39-08-05 cannot apply to that incident and avoids the class B Misdemeanor penalty that goes along with it. The prosecutor must then defer to § 39-08-09 which states a fine of fifty dollars is to be assessed.

A potential fifty-dollar fine under § 39-08-09 is little incentive to encourage drivers to report a crash which caused property damage.

Say for example, an intoxicated driver may fail to give notice of a crash involving other property to avoid being arrested for DUI. Perhaps they struck a fence or a pet dog. If they are found later, they may be fined just fifty dollars, since the total damage caused by the crash was not *only* to their vehicle. That driver has successfully evaded a class B Misdemeanor penalty and has more incentive to flee the scene of a crash in the future.

In summary, the proposed changes to § 39-08-05 in SB 2285 provide a stronger penalty for peace officers and prosecutors when a defendant has fled the scene of a crash resulting in damage to other property without first giving proper notice as required. I urge you to support this bill.

Respectfully,

A handwritten signature in black ink, appearing to read "K. Christenson".

Kyle Christenson
Chief Deputy
Hettinger County Sheriff's Office



68th Legislative Assembly

Testimony in **Support** of

Senate Bill No. 2285

Senate Transportation Committee

January 26, 2023

TESTIMONY OF

Sergeant Wade Kadrmas

Good morning, Chairman Clemens and members of the Senate Transportation Committee, my name is Wade Kadrmas, and I am the Safety and Education Officer for the North Dakota Highway Patrol. I am here today on behalf of my agency in support of Senate Bill 2285.

This bill, along with the proposed amendment, would change the offense for leaving the scene of a property damage only crash from an infraction to a B misdemeanor. Far too often troopers investigate property damage only crashes where drivers leave the scene after damaging someone else's property. These drivers may or may not return to provide their information. When troopers are able to locate them, they at times come across individuals who they suspect may have been under the influence of some type of substance at the time of the crash. The only option law enforcement has as a charge is for an infraction under 39-08-08 for leaving the scene of a crash involving a fixed object or a non-criminal charge with a fine of \$50 for failure to give immediate notice of reportable crash. These lesser charges encourage drivers to leave the scene of a property damage only (non-vehicle) crash and not report it right away to the property owner or law enforcement.

Currently under NDCC 39-08-07 it is an A misdemeanor for a driver to leave the scene of a crash involving damage to an unattended vehicle. This would be any crash resulting in damage and not just damage that is \$4,000 or greater. Damage to other property should be handled similarly since \$3,500 in damage to a fence or building is no different than \$3,500 in damages to an unattended vehicle.

The patrol respectfully asks for your support on Senate Bill 2285, and I would be happy to answer any questions.



Hettinger County Sheriff's Office

Sheriff Sarah D. Warner

03/09/2023

House Transportation Committee
 North Dakota State Capitol
 600 East Boulevard
 Bismarck, ND 58505

RE: Support for Senate Bill 2285

Mr. Chairman, and members of the House Transportation Committee, my name is Kyle Christenson, Chief Deputy of Hettinger County Sheriff's Office.

I support Senate Bill 2285 because it will allow law enforcement officers investigating crashes, and states attorneys prosecuting the offenders, to better enforce reasonable penalties for so-called "hit and run" crashes. North Dakota Century Code § 39-08-05 currently reads, in part, *"The driver of any vehicle involved in a crash resulting only in property damage to the driver's vehicle or any other vehicle shall immediately stop[...]"*

The implication of this language leads to an interpretation that one can only be found guilty of a violation of this subsection if the damage resulting from the crash is limited to ONLY vehicles.

- The inclusion of the word "*only*", when taken in context with the statute as a whole, states that a person may be charged with a class B Misdemeanor if they fail to return to the scene of a crash *only* if they caused damage to their vehicle or another vehicle.
- If any other object is damaged, not *only* has a vehicle been damaged. Thus, § 39-08-05 and the class B Misdemeanor penalty cannot apply to that incident. The prosecutor must then defer to § 39-08-09 which states a fine of fifty dollars is to be assessed.
- Use of the word "*only*" creates a broad opportunity for people who are otherwise guilty of a "hit and run" offense to avoid a class B Misdemeanor offense and, instead, simply be found guilty of an infraction and be required to pay a fifty-dollar fine.
- A potential \$50 fine is little incentive to encourage drivers to report a crash which caused property damage.
- SB 2285's proposed changes to § 39-08-05 removes the word "*only*" so as to give more teeth to Peace Officers and prosecutors when a defendant has fled the scene of a reportable crash.
- For example, an intoxicated driver may fail to report a crash to avoid being arrested for DUI (a class B Misdemeanor). The proposed change would still hold the same level of offense for failing to report said crash.
 - Say the driver strikes a fence, or any other fixed object, resulting in damage to that object. If they leave the scene and are found later they may only be fined \$50 since the damage was not only to their vehicle. The driver has evaded a class B Misdemeanor and less incentive to flee the scene of a crash in the future.



Hettinger County Sheriff's Office

Sheriff Sarah D. Warner

In summary, SB 2285 amends language in North Dakota Century Code in order to correct what is likely a simple, but significant, oversight. However, it is an oversight which allows a driver to get away with a hit and run crash and face little penalty. Our Bill proposal was reviewed and is fully supported by the Hettinger County State's Attorney's Office.

Prior to Senator Schaible entering this Bill, Hettinger County Sheriff Sarah Warner and I had a meeting with Attorney General Drew Wrigley and Deputy Attorney General Claire Ness in the Attorney General's Office. We discussed the issue at hand and both agreed that it needs to be changed to close this loophole.

There is a great deal of support for this bill from local and state law enforcement officers, local prosecutors, and even the North Dakota Attorney General.

I respectfully recommend a "Do Pass" vote on this Bill.

Respectfully,

A handwritten signature in black ink, appearing to read "K.C.", followed by a long horizontal line extending to the right.

Kyle Christenson
Chief Deputy
Hettinger County Sheriff's Office



68th Legislative Assembly
Testimony in **Support of**
Senate Bill No. 2285
House Transportation Committee
March 9, 2023

TESTIMONY OF

Major Tom Iverson, Chief of Operations

Good morning Chairman Ruby and members of the committee. My name is Tom Iverson and I serve as the chief of operations for the North Dakota Highway Patrol. I am here to provide testimony in support of Senate Bill 2285.

This bill would change the offense for leaving the scene of a property damage crash from an infraction to a B misdemeanor. Far too often troopers investigate property damage crashes where drivers leave the scene after damaging someone else's property. These drivers may or may not return to provide their information. When troopers are able to locate them, they at times come across individuals who they suspect may have been under the influence of some type of substance at the time of the crash. The only applicable charge in this scenario is an infraction under 39-08-08 for leaving the scene of a crash involving a fixed object or a non-criminal charge with a fine of \$50 for failure to give immediate notice of a reportable crash. These lesser charges may encourage drivers to leave the scene of a property damage only (non-vehicle) crash and not report it right away to the property owner or law enforcement.

Currently under NDCC 39-08-07 it is an A misdemeanor for a driver to leave the scene of a crash involving damage to an unattended vehicle. This would be any crash resulting in damage and not just damage that is \$4,000 or greater. Damage to other property should be handled similarly since \$3,500 in damage to a fence or building is no different than \$3,500 in damages to an unattended vehicle.

This concludes my testimony. I am happy to answer any questions you may have.



North Dakota Senate

STATE CAPITOL
600 EAST BOULEVARD
BISMARCK, ND 58505-0360



Senator Donald Schaible

District 31
9115 Highway 21
Mott, ND 58646-9200

dgschaible@ndlegis.gov

COMMITTEES:
Appropriations

House Transportation Committee

March 9, 2023

Good morning, Chairman Ruby and members of the House Transportation Committee

For the record, I am Senator Don Schaible, District 31, here to introduce SB 2285 at the request of some of our local Sherriff Departments with an issue they have with Sec 38-08-05 with damage to vehicles.

If you notice this is not the same testimony that I had sent electronically for a few minutes after I sent that one, I was informed that neither Sheriff Sarah Warner nor Chief Deputy Kyle Christenson was not able to attend this morning so I needed to get a little more familiar with the details of this bill.

It is my understanding that this section deals with damage to vehicles and does not address damage that may accrue with other property. The improvement to this bill asks to include other property by adding the language of "another vehicle" and "or any other fixed object object on public or private property."

Current language leads to an interpretation that one can be found guilty of violation of this subsection if the damage resulting from the crash is limited to only vehicles.

- The inclusion of the word "only", when taken in context with the statute as a whole, states that a person may be charged with a class B Misdemeanor if they fail to return to the scene of a crash only if they caused damage to their vehicle or another vehicle.
- If any other object is damaged, not only has a vehicle been damaged. Thus, § 39-08-05 and the class B Misdemeanor penalty cannot apply to that incident. The prosecutor must then defer to § 39-08-09 which states a fine of fifty dollars is to be assessed.

- Use of the word “only” creates a broad opportunity for people who are otherwise guilty of a “hit and run” offense to avoid a class B Misdemeanor offense and, instead, simply be found guilty of an infraction and be required to pay a fifty-dollar fine.
- A potential \$50 fine is little incentive to encourage drivers to report a crash which caused property damage.
- SB 2285’s proposed changes to § 39-08-05 removes the word “only” so as to give more teeth to Peace Officers and prosecutors when a defendant has fled the scene of a reportable crash.

I would try to answer any questions you may have.

23.0987.02001
Title.

Prepared by the Legislative Council staff for
Representative D. Ruby
March 29, 2023

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2285

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact sections 39-08-08 and 39-08-09 of the North Dakota Century Code, relating to the duty when striking highway fixtures or other property and immediate notice of accident; and to provide a penalty.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

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

39-08-08. Duty upon striking highway fixtures or other property - Penalty.

The driver of any vehicle involved in a crash resulting only in damage to highway fixtures or other property shall take reasonable steps to locate and notify the owner or person in charge of the property of the damage. The driver shall provide the driver's name, address, and registration number of the vehicle the driver is driving and shall upon request and if available exhibit the driver's, operator's, or chauffeur's license. The driver shall make report of the crash when and as required in section 39-08-09. The driver shall provide the name of the motor vehicle insurance policy carrier and the policy number of the driver, or if the driver is not the owner of the vehicle, then the motor vehicle insurance policy carrier and the policy number of the owner of the vehicle, to the owner or person in charge of the damaged property or to the law enforcement officer investigating the crash. A driver who violates this section is guilty of a class B misdemeanor.

SECTION 2. AMENDMENT. Section 39-08-09 of the North Dakota Century Code is amended and reenacted as follows:

39-08-09. Immediate notice of accident - Penalty.

1. The driver of a vehicle involved in an accident resulting in injury to or death of any individual, or property damage to an apparent extent of at least four thousand dollars, shall immediately give notice of the accident to the local police department if the accident occurs within a municipality, otherwise to the office of the county sheriff or the state highway patrol.
 - a. A driver who violates this section ~~must be assessed a fine of fifty dollars~~ is guilty of a class A misdemeanor.
 - b. The name of the motor vehicle insurance policy carrier and the policy number of the driver, or if the driver is not the owner of the vehicle, then the motor vehicle insurance policy carrier and the policy number of the owner of the vehicle, must be furnished to the law enforcement officer investigating the accident.
 - c. If the driver does not have the required information concerning insurance to furnish to the investigating law enforcement officer, then

within five days of the accident the driver shall supply that information to the driver's license division in the form the division requires.

2. The director may suspend the license or permit to drive and any nonresident operating privileges of any person failing to comply with the duties as provided in sections 39-08-06 through 39-08-09 until those duties have been fulfilled, and the director may extend the suspension not to exceed thirty days.
3. The driver of a vehicle involved in an accident with an undomesticated animal resulting in property damage only to the driver's vehicle is exempt from the notice requirements of this section, regardless of the amount of damage to the driver's vehicle."

Renumber accordingly

23.0987.02002
Title.

Prepared by the Legislative Council staff for
Representative D. Ruby
March 29, 2023

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2285

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact sections 39-08-08 and 39-08-09 of the North Dakota Century Code, relating to the duty when striking highway fixtures or other property and immediate notice of accident; and to provide a penalty.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

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

39-08-08. Duty upon striking highway fixtures or other property - Penalty.

The driver of any vehicle involved in a crash resulting only in damage to highway fixtures or other property shall take reasonable steps to locate and notify the owner or person in charge of the property of the damage. The driver shall provide the driver's name, address, and registration number of the vehicle the driver is driving and shall upon request and if available exhibit the driver's, operator's, or chauffeur's license. The driver shall make report of the crash when and as required in section 39-08-09. The driver shall provide the name of the motor vehicle insurance policy carrier and the policy number of the driver, or if the driver is not the owner of the vehicle, then the motor vehicle insurance policy carrier and the policy number of the owner of the vehicle, to the owner or person in charge of the damaged property or to the law enforcement officer investigating the crash. A driver who violates this section is guilty of an infraction for a first offense and a class B misdemeanor for a second or subsequent offense in a three-year period.

SECTION 2. AMENDMENT. Section 39-08-09 of the North Dakota Century Code is amended and reenacted as follows:

39-08-09. Immediate notice of accident - Penalty.

1. The driver of a vehicle involved in an accident resulting in injury to or death of any individual, or property damage to an apparent extent of at least four thousand dollars, shall immediately give notice of the accident to the local police department if the accident occurs within a municipality, otherwise to the office of the county sheriff or the state highway patrol.
 - a. A driver who violates this section ~~must be assessed a fine of fifty dollars~~ is guilty of a class A misdemeanor.
 - b. The name of the motor vehicle insurance policy carrier and the policy number of the driver, or if the driver is not the owner of the vehicle, then the motor vehicle insurance policy carrier and the policy number of the owner of the vehicle, must be furnished to the law enforcement officer investigating the accident.

- c. If the driver does not have the required information concerning insurance to furnish to the investigating law enforcement officer, then within five days of the accident the driver shall supply that information to the driver's license division in the form the division requires.
- 2. The director may suspend the license or permit to drive and any nonresident operating privileges of any person failing to comply with the duties as provided in sections 39-08-06 through 39-08-09 until those duties have been fulfilled, and the director may extend the suspension not to exceed thirty days.
- 3. The driver of a vehicle involved in an accident with an undomesticated animal resulting in property damage only to the driver's vehicle is exempt from the notice requirements of this section, regardless of the amount of damage to the driver's vehicle."

Renumber accordingly

23.0987.02005
Title.

Prepared by the Legislative Council staff for
Representative D. Ruby
March 30, 2023

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2285

Page 1, line 7, overstrike "any" and insert immediately thereafter "a"

Page 1, line 8, after the first "or" insert "to"

Page 1, line 9, after "property" insert "with an apparent value of one thousand dollars or more"

Page 1, line 9, after the underscored comma insert "immediately"

Page 1, line 9, overstrike "immediately"

Renumber accordingly

Sixty-eighth
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2285

Introduced by

Senators Schaible, Kessel

Representatives Heinert, Rohr

1 A BILL for an Act to amend and reenact section 39-08-05 of the North Dakota Century Code,
2 relating to crashes involving damage to property; and to provide a penalty.

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

4 **SECTION 1. AMENDMENT.** Section 39-08-05 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **39-08-05. Crashes involving damage to ~~vehiele~~property - Penalty.**

7 The driver of ~~anya~~ vehicle involved in a crash resulting ~~only~~ in property damage to the
8 driver's vehicle ~~or any other, another~~ vehicle, or to any other fixed object on public or private
9 property with an apparent value of one thousand dollars or more, immediately shall ~~immediately~~
10 stop the vehicle at the scene of the crash or as close to the scene of the crash as possible but
11 shall return to and remain at the scene of the crash until the driver has fulfilled the requirements
12 of ~~section~~sections 39-08-06, 39-08-08, and 39-08-09. Every such stop must be made without
13 obstructing traffic more than is necessary. Any person failing to stop or comply with the
14 requirements in this section is guilty of a class B misdemeanor.