Sixty-fifth Legislative Assembly
of North Dakota

Introduced by

Representatives Kempenich, Brandenburg, Laning, Oliver, Rohr

Senators Cook, Schaible

A BILL for an Act to create and enact section 32-03.2-02.2 of the North Dakota Century Code, relating to the liability exemption of a motor vehicle driver; and to amend and reenact section 39-10-33 of the North Dakota Century Code, relating to pedestrians on roadways.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. Section 32-03.2-02.2 of the North Dakota Century Code is created and enacted as follows:

32-03.2-02.2. Liability exemption for motor vehicle driver.
Notwithstanding any other provision of law, a driver of a motor vehicle who, while exercising reasonable care, causes injury or death to an individual who is intentionally obstructing vehicular traffic on a public road, street, or highway may not be held liable for any damages.

SECTION 2. AMENDMENT. Section 39-10-33 of the North Dakota Century Code is amended and reenacted as follows:

39-10-33. Pedestrian on roadway.
1. Where a sidewalk is provided and its use is practicable, it is unlawful for any pedestrian to walk along and upon an adjacent roadway.
2. Where a sidewalk is not available, any pedestrian walking along and upon a highway shall walk only on a shoulder, as far as practicable from the edge of the roadway.
3. Where neither a sidewalk nor a shoulder is available, any pedestrian walking along and upon a highway shall walk as near as practicable to an outside edge of the roadway, and, if on a two-way roadway, shall walk only on the left side of the roadway.
4. Except as otherwise provided for in this chapter, any pedestrian upon a roadway shall yield the right of way to all vehicles upon the roadway.
5. Notwithstanding any other provision of law, a driver of a motor vehicle who unintentionally causes injury or death to an individual who is intentionally obstructing vehicular traffic on a public road, street, or highway is not guilty of an offense.