

AN ACT

ENTITLED, An Act to revise certain provisions regarding the required identification of authorized emergency vehicles.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That § 32-31-3 be amended to read as follows:

32-31-3. The exemptions granted in subdivisions 32-31-2(2) and (3) to an authorized emergency vehicle apply only if the vehicle is making use of audible or visual signals meeting the requirements of law. However, the exemption granted in subdivision 32-31-2(1) to an authorized emergency vehicle applies only if the vehicle is making use of visual signals meeting the requirements of law.

Section 2. That § 32-31-4 be amended to read as follows:

32-31-4. The speed limit set out in §§ 32-25-1.1 to 32-25-17, inclusive, does not apply to any authorized emergency vehicle responding to an emergency call if the driver sounds an audible siren or air horn or both or displays flashing, oscillating, or rotating beams of red light or combinations of red, blue, or white light visible one hundred eighty degrees to the front of the vehicle. The lights shall be capable of warning the public of the presence of an emergency vehicle under normal atmospheric conditions. The speed limit set out in §§ 32-25-1.1 to 32-25-17, inclusive, does not apply to authorized emergency vehicles operated by law enforcement officers who are measuring the speed of other vehicles by use of the emergency vehicle speedometer. Moreover, the driver of an ambulance who has been certified pursuant to § 34-11-6 may operate the emergency vehicle in excess of the speed limit without audible signals while operating outside the city limits of a municipality.

Section 3. That § 32-31-6 be amended to read as follows:

32-31-6. Upon the immediate approach of an authorized emergency vehicle making use of audible or visual signals meeting the requirements of this chapter, or of a police vehicle properly and

lawfully making use of an audible or visual signal only, the driver of every other vehicle shall immediately drive to a position as near as possible and parallel to the right-hand edge or curb of the highway, or in case of a one-way highway the nearest edge or curb, clear of any intersection of highways, and shall stop and remain in such position unless otherwise directed by a police or traffic officer until the authorized emergency vehicle shall have passed. A violation of this section is a Class 2 misdemeanor.

Section 4. That § 32-26-15 be amended to read as follows:

32-26-15. The driver of a vehicle upon a highway shall yield the right-of-way to police and fire department vehicles and ambulances if they are operated upon official business and the drivers give an audible signal by bell, siren, or exhaust whistle or visual signal by flashing, oscillating, or rotating beams of red light or combinations of red, blue, or white light visible one hundred eighty degrees to the front of the vehicle. The provisions of this section do not relieve the driver of a police, fire department vehicle, or ambulance from the duty to drive with due regard for the safety of all persons using the highway nor does it protect the driver of any such vehicle from the consequence of an arbitrary exercise of such right-of-way. A violation of this section is a Class 2 misdemeanor.

An Act to revise certain provisions regarding the required identification of authorized emergency vehicles.

I certify that the attached Act
originated in the

HOUSE as Bill No. 1015

Chief Clerk

Speaker of the House

Attest:

Chief Clerk

President of the Senate

Attest:

Secretary of the Senate

House Bill No. 1015
File No. _____
Chapter No. _____

Received at this Executive Office
this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor

The attached Act is hereby
approved this _____ day of
_____, A.D., 20____

Governor

STATE OF SOUTH DAKOTA,
ss.
Office of the Secretary of State

Filed _____, 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State