



## 2022 South Dakota Legislature

# Senate Bill 91

Introduced by: **Senator Duvall**

1 **An Act to revise provisions regarding the use of certain lights by county highway**  
 2 **department authorized vehicles.**

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

4 **Section 1. That § 32-17-42 be AMENDED:**

5 **32-17-42.** Any motor vehicle authorized by the Department of Transportation, any  
 6 motor vehicle authorized by a county highway department, a tow truck or wrecker as  
 7 defined in § 32-17-10, or a vehicle operated by a member of an organized fire department  
 8 or organized search and rescue unit or by a person who is an ambulance driver, attendant,  
 9 or emergency medical technician affiliated with a licensed ambulance service may be  
 10 equipped with blue lights. This provision does not relieve the driver of ~~such a~~ the vehicle  
 11 from the duty to drive with due regard for the safety of all persons using the street nor  
 12 does it protect the driver of ~~any such vehicle~~ from the consequence of a reckless disregard  
 13 of the safety of others.

14 No person may use a blue light unless the person is authorized by this chapter and  
 15 is ~~either~~ operating a Department of Transportation vehicle or a county highway vehicle ~~in~~  
 16 ~~performance of their duties in~~ while on duty maintaining the highway, or actually en route  
 17 to the scene of a fire or other emergency requiring the person's services and the person  
 18 has been authorized in writing to so use a blue light. The authorization may be given by  
 19 the Department of Transportation, highway patrol, county highway superintendent, chief  
 20 of ~~the~~ a fire department, coordinator of ~~the~~ a search and rescue unit, or operator or  
 21 ambulance service director of ~~the~~ an ambulance service only to members of the  
 22 department or service who are in good standing.

23 The ~~unauthorized~~ use of a blue light in violation of this section is a Class 2  
 24 misdemeanor.