

2022 South Dakota Legislature

Senate Bill 91**AMENDMENT 91A FOR THE INTRODUCED BILL**

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 in performance of
17 winter highway maintenance duties, or actually en route to the scene of a fire or other
18 emergency requiring the person's services and the person has been authorized in writing
19 to so use a blue light. ~~The authorization~~ Authorization for use of a blue light in accordance
20 with this chapter may be given by the Department of Transportation, highway patrol,
21 county highway superintendent, chief of ~~the~~ a fire department, coordinator of ~~the~~ a search
22 and rescue unit, or operator or ambulance service director of ~~the~~ an ambulance service
23 only to members of the department or service who are in good standing.

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