



## 2022 South Dakota Legislature

# House Bill 1078

SENATE TRANSPORTATION ENGROSSED

Introduced by: **Representative** Kent Peterson

1 **An Act to authorize the use of electric all-terrain and off-road vehicles on public**  
 2 **highways and to declare an emergency.**

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

4 **Section 1. That § 32-20-13 be AMENDED:**

5 **32-20-13.** Any all-terrain vehicle with four or more wheels and with a combustion  
 6 engine having a piston or rotor displacement of two hundred cubic centimeters or more  
 7 or any off-road vehicle with two wheels and with a combustion engine having a piston or  
 8 rotor displacement of one hundred twenty cubic centimeters or more or any all-terrain  
 9 vehicle, with four or more wheels, propelled by an electric motor that draws power from  
 10 a battery that is capable of being recharged may be licensed as a motorcycle pursuant to  
 11 chapter 32-5 to be used on a public highway.

12 Prior to being licensed, the vehicle shall meet the necessary light, brake, and other  
 13 vehicle accessory requirements provided by chapters 32-15, 32-17, and 32-18 that are  
 14 applicable to motorcycles.

15 This section does not apply to a golf cart, as defined in § 32-14-13, a low-speed  
 16 vehicle, as described in § 32-3-71, or a toy or youth off-road vehicle.

17 Any vehicle licensed pursuant to this section may not be operated on the interstate  
 18 highway system. A person who operates any vehicle licensed pursuant to this section on  
 19 the interstate highway system is guilty of a Class 2 misdemeanor.

20 **Section 2.** Whereas, this Act is necessary for the support of the state government and its  
 21 existing public institutions, an emergency is hereby declared to exist, and this Act shall be in  
 22 full force and effect from and after its passage and approval.