

2022 South Dakota Legislature

House Bill 1230**AMENDMENT 1230A FOR THE INTRODUCED BILL**

1 **An Act to revise the penalty for a violation of maintenance of financial responsibility.**

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

3 **Section 1. That § 32-35-113 be AMENDED:**

4 **32-35-113.** Every driver or owner of a motor vehicle shall at all times maintain in
5 force one of the forms of financial responsibility on the motor vehicle by one of the
6 following methods:

- 7 (1) Having in force on the motor vehicle an owner's policy of liability insurance as
8 provided in § 32-35-70;
- 9 (2) Having in force a bond as provided in § 32-35-83;
- 10 (3) Having a certificate of deposit of money or securities as provided in § 32-35-87, but
11 in the amount of fifty thousand dollars; or
- 12 (4) Having a certificate of self-insurance, as provided in §§ 32-35-90 and 32-35-91,
13 supplemented by an agreement by the self-insurer that, with respect to accidents
14 occurring while the certificate is in force, he will pay the same amounts that an
15 insurer would have been obligated to pay under an owner's motor vehicle liability
16 policy if it had issued such a policy to said self-insurer.

17 Failure to maintain financial responsibility is a Class 2 misdemeanor. A second or
18 subsequent violation under this section **within ten years of a conviction for the person's**
19 **first violation** is a Class 1 misdemeanor.