



2024 South Dakota Legislature

House Bill 1078

Introduced by: **Representative Blare**

1 **An Act to allow compliance with seat belt laws to be considered in determining**
2 **damages for injuries.**

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

4 **Section 1. That § 32-38-4 be AMENDED:**

5 **32-38-4.** Failure to comply with the provisions of this chapter ~~does~~ may not
6 constitute contributory negligence, comparative negligence, or assumption of the risk.
7 Failure to comply with the provisions of this chapter may not be introduced as evidence
8 in any criminal litigation other than a prosecution under this chapter ~~or~~. Failure to comply
9 with the provisions of this chapter may be introduced as evidence in any civil litigation on
10 the issue of injuries or on the issue of mitigation of damages.