



2025 South Dakota Legislature

House Bill 1117

Introduced by: **Representative Shorma**

1 **An Act to modify requirements on the use of mobile electronic devices while driving.**

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

3 **Section 1. That § 32-26-47.1 be AMENDED:**

4 **32-26-47.1.** ~~No~~Except as otherwise provided for in this section, no person may
 5 operate a motor vehicle while using a mobile electronic device, unless the device allows
 6 for hands-free operation and the operator uses the device solely in the hands-free mode.

7 A violation of this section is a Class 2 misdemeanor.

8 This section does not apply to:

- 9 (1) A law enforcement officer, firefighter, emergency medical technician, paramedic,
 10 operator of an authorized emergency vehicle, or similarly engaged paid or
 11 volunteer public safety first responder during the performance of that person's
 12 official duties, and a public utility employee or contractor acting within the scope
 13 of that person's employment;
- 14 (2) The use of a mobile electronic device for emergency purposes, including a text
 15 messaging device to contact a 911 system~~;~~; an emergency call to a law
 16 enforcement agency, health care provider, fire department, or other emergency
 17 services agency or entity~~;~~; to report to appropriate authorities a fire, traffic
 18 accident, serious road hazard, or medical or hazardous materials emergency~~;~~;
 19 to report the operator of another motor vehicle who is driving in a reckless or
 20 otherwise unsafe manner~~;~~; or who appears to be driving under the influence of
 21 alcohol or drugs~~;~~; or to report a crime;
- 22 (3) The use of a global positioning or navigation system feature of a mobile electronic
 23 device, but does apply to manually entering information into the global positioning
 24 or navigation system feature of the device;
- 25 (4) ~~Reading, selecting, or entering a telephone number or name in a mobile electronic~~
 26 ~~device for the purpose of making or receiving a telephone call and using the device~~

- 1 ~~for the call, or if a person otherwise activates or deactivates a feature or function~~
2 ~~of a mobile electronic device; or~~
- 3 (5) ~~—The use of a mobile electronic device in a voice-operated or hands-free mode if the~~
4 ~~operator of the motor vehicle does not use the motor vehicle operator's hands to~~
5 ~~operate the device, except to activate or deactivate a feature or function of the a~~
6 ~~voice-operated or hands-free device; or~~
- 7 (5) ~~—The use of a mobile electronic device held in the hand by an operator, while driving~~
8 ~~any type of agricultural equipment, excluding a truck, provided the equipment is~~
9 ~~not designed to exceed thirty-five miles per hour.~~