



2026 South Dakota Legislature

House Bill 1010

Introduced by: **Representative Shorma**

1 **An Act to modify requirements regarding the use of a mobile electronic device while**
 2 **operating a motor vehicle.**

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

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

5 **32-26-47.1.** No person may operate a motor vehicle while using a mobile
 6 electronic device. A violation of this section is a Class 2 misdemeanor.

7 This section does not apply to:

8 (1) A law enforcement officer, firefighter, emergency medical technician, paramedic,
 9 operator of an authorized emergency vehicle, or similarly engaged paid or
 10 volunteer public safety first responder during the performance of that person's
 11 official duties, and a public utility employee or contractor acting within the scope
 12 of that person's employment;

13 (2) The use of a mobile electronic device for ~~emergency~~ the following purposes,
 14 including:

15 (a) Using a text messaging device to contact a 911 system;

16 (b) Placing an emergency call to a law enforcement agency, health care
 17 provider, fire department, or other emergency services agency or entity,~~or~~
 18 ~~to report;~~

19 (c) Reporting to appropriate authorities a fire, traffic accident, serious road
 20 hazard, or medical or hazardous materials emergency,~~or to report;~~

21 (d) Reporting the operator of another motor vehicle who is driving in a reckless
 22 or otherwise unsafe manner, or who appears to be driving under the
 23 influence of alcohol or drugs,~~or to report;~~ or

24 (e) Reporting a crime;

25 (3) The use of a global positioning or navigation system feature of a mobile electronic
 26 device, ~~but does apply to~~ provided the operator of the motor vehicle is not manually

- 1 entering information into the global positioning or navigation system feature of the
2 device;
- 3 (4) ~~Reading, selecting, or entering a telephone number or name in a mobile electronic~~
4 ~~device for the purpose of making or receiving a telephone call and using the device~~
5 ~~for the call, or if a person otherwise activates or deactivates a feature or function~~
6 ~~of a mobile electronic device; or~~
- 7 (5) The use of a mobile electronic device in a voice-operated or hands-free mode if the
8 operator of the motor vehicle does not use the operator's hands to operate the
9 device, except to activate or deactivate a feature or function of the device; or
- 10 (5) The use of a mobile electronic device held in the hand by an operator while driving
11 any type of agricultural equipment, excluding a truck, provided the agricultural
12 equipment is not designed to exceed twenty-five miles per hour.