



2026 South Dakota Legislature

House Bill 1059

Introduced by: **Representative Sjaarda**

1 **An Act to increase the amounts required in a motor vehicle liability policy.**

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

3 **Section 1. That § 32-35-70 be AMENDED:**

4 **32-35-70.** An owner's policy of liability insurance referred to in § 32-35-68 ~~shall~~
 5 must insure the person named therein and any other person as insured, using any insured
 6 vehicle or vehicles with the express or implied permission of the named insured, against
 7 loss from the liability imposed by law for damages arising out of the ownership,
 8 maintenance, or use of the vehicle or vehicles within the United States of America or ~~the~~
 9 ~~Dominion of~~ Canada, subject to limits exclusive of interests and costs, with respect to
 10 each insured vehicle, as follows: ~~twenty-five~~ fifty thousand dollars because of bodily injury
 11 to or death of one person in any one accident and, subject to the limit for one person, ~~fifty~~
 12 one hundred thousand dollars because of bodily injury to or death of two or more persons
 13 in any one accident, and ~~twenty-five~~ fifty thousand dollars because of injury to or
 14 destruction of property of others in any one accident.

15 If the policy complies with the filing and form requirements of ~~Title~~ title 58 and has
 16 been approved by the Division of Insurance, the driver and owner ~~has~~ have complied with
 17 this chapter.

18 The policy may exclude liability coverage if the policyholder certifies in writing that
 19 the vehicle will not be operated during the policy period. The policy may exclude or limit
 20 coverage pursuant to § 58-11-9.3, or for a relative residing in the named insured's
 21 household.

22 Policies issued after January 1, 1987, and owners who have purchased ~~such~~ the
 23 policies are in compliance with this chapter. Date of compliance does not affect any
 24 pending litigation.