



2026 South Dakota Legislature

Senate Bill 202

Introduced by: **Senator Mehlhaff**

1 **An Act to require that the owner of a motor vehicle removed from a body of water**
 2 **pay the removal costs.**

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

4 **Section 1. That § 32-30-18.1 be AMENDED:**

5 **32-30-18.1.** Any owner of a motor vehicle ~~who intentionally abandons a motor~~
 6 ~~vehicle on any public highway or right of way~~ is civilly liable to the removal agency for
 7 the expense of towing the motor vehicle if:

8 (1) The owner intentionally abandons a motor vehicle on any public highway or right
 9 of way;

10 (2) The owner drives, or allows the motor vehicle to be driven, into any lake, stream,
 11 or body of water where the motor vehicle becomes disabled; and

12 (3) The owner drives, or allows the motor vehicle to be driven, onto any frozen lake,
 13 stream, or body of water where the motor vehicle breaks through the ice and
 14 becomes disabled.

15 The owner is also civilly liable for any storage expense pursuant to § 32-36-8.