

## 2026 South Dakota Legislature

**House Bill 1010****AMENDMENT 1010A  
FOR THE INTRODUCED BILL**

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 tap or in some other manner, activate or deactivate a feature or
- 10 function of the device; ~~or~~
- 11 ~~(5) The use of a mobile electronic device held in the hand by an operator while driving~~
- 12 ~~any type of agricultural equipment, excluding a truck, provided the agricultural~~
- 13 ~~equipment is not designed to exceed twenty five miles per hour.~~