

State of South Dakota

EIGHTY-NINTH SESSION
LEGISLATIVE ASSEMBLY, 2014

916V0495

SENATE ENGROSSED NO. **HB 1100** - 03/05/2014

This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsor.

Introduced by: Representatives Gibson, Bartling, Bolin, Cronin, Erickson, Gosch, Haggar (Jenna), Hajek, Hawks, Heinert, Hickey, Hoffman, Hunhoff (Bernie), Kaiser, Killer, Kirschman, Kopp, May, Mickelson, Olson (Betty), Otten (Herman), Parsley, Rasmussen, Romkema, Schaefer, Schoenfish, Schrempp, Soli, Stalzer, Steele, Stevens, Tulson, Tyler, Verchio, Wink, and Wismer and Senators Maher, Begalka, Bradford, Buhl O'Donnell, Jones (Tom), Kirkeby, Lederman, Otten (Ernie), Rampelberg, Rave, Sutton, and Welke

1 FOR AN ACT ENTITLED, An Act to prohibit the use of certain photo monitoring devices to
2 detect red light violations.

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

4 Section 1. That chapter 32-28 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 No state, county, municipal, or township authority may contract with any private corporation
7 to provide for the use of any photo monitoring device to detect any red light violation.

8 Section 2. That chapter 32-28 be amended by adding thereto a NEW SECTION to read as
9 follows:

10 For the purposes of this Act, the term, photo monitoring device, means a stationary,
11 unmanned device used with a lighted traffic control device to detect a red light violation
12 combined with a photographic identification of the vehicle which results in the issuance of a



1 citation against the registrant, rather than the driver, of the vehicle.

2 Section 3. That chapter 32-28 be amended by adding thereto a NEW SECTION to read as
3 follows:

4 This Act constitutes a general law of the state within the meaning of S.D. Const., Article IX,
5 § 2.