

AN ACT

ENTITLED, An Act to revise certain provisions regarding the suspension of a minor's driving privileges.

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

Section 1. That § 32-12-15 be amended to read as follows:

32-12-15. The issuance of an instruction permit, motorcycle instruction permit, restricted minor's permit, or motorcycle restricted minor's permit is on a probationary basis. The Department of Public Safety upon the receipt of a record of conviction for a traffic violation or for a violation of the restrictions in §§ 32-12-11, 32-12-11.1, 32-12-12, 32-12-12.1, 32-12-13, or 32-12-14, committed prior to the minor's sixteenth birthday shall suspend the minor's driving privileges according to the following schedule:

- (1) A felony or Class 1 misdemeanor traffic conviction--suspension until the minor's sixteenth birthday or as otherwise required by law;
- (2) A first Class 2 misdemeanor traffic conviction or a comparable conviction of any moving traffic violation of a county or municipal ordinance--suspension for thirty days or as otherwise required by law;
- (3) A first conviction of a violation of the conditions of an instruction permit, a motorcycle instruction permit, a restricted minor's permit, or a motorcycle restricted minor's permit--suspension for thirty days or as otherwise required by law;
- (4) A second Class 2 misdemeanor traffic conviction or a comparable conviction of any moving traffic violation of a county or municipal ordinance--suspension until the minor's sixteenth birthday or for ninety days, whichever period is longer, or as otherwise required by law; and
- (5) A second conviction of a violation of the conditions of an instruction permit, a motorcycle

instruction permit, a restricted minor's permit, or a motorcycle restricted minor's permit-- suspension until the minor's sixteenth birthday or for ninety days, whichever period is longer, or as otherwise required by law.

No permit may be suspended for a first violation of §§ 32-14-9.1, 32-21-27, 32-25-5, 32-26-20, or 34A-7-7.

If a minor has no instruction permit, motorcycle instruction permit, restricted minor's permit, or motorcycle restricted minor's permit and is convicted of any traffic violation prior to the minor's sixteenth birthday, the department shall suspend or revoke the minor's driving privilege or privilege to apply for a driver license as provided in this section. A conviction for any traffic violation that occurs prior to the issuance of an instruction permit, motorcycle instruction permit, restricted minor's permit, motorcycle restricted minor's permit, motorcycle operator's license or an operator's license shall be placed on the driving record and given the same consideration as any violation that occurs following the issuance of an instruction permit, motorcycle instruction permit, restricted minor's permit, motorcycle restricted minor's permit, motorcycle operator's license, or an operator's license.

An Act to revise certain provisions regarding the suspension of a minor's driving privileges.

I certify that the attached Act
originated in the

SENATE as Bill No. 13

Secretary of the Senate

President of the Senate

Attest:

Secretary of the Senate

Speaker of the House

Attest:

Chief Clerk

Senate Bill No. 13

File No. _____

Chapter No. _____

Received at this Executive Office
this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor

The attached Act is hereby
approved this _____ day of
_____, A.D., 20____

Governor

STATE OF SOUTH DAKOTA,
ss.
Office of the Secretary of State

Filed _____, 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State