

2020 South Dakota Legislature
House Bill 1101

AMENDMENT 1101B FOR THE INTRODUCED BILL

1 **An Act to revise provisions regarding the suspension of a driver license for failure**
2 **to maintain financial responsibility on a motor vehicle and to provide for the**
3 **reinstatement of athe driver license under certain conditions.**

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

5 **Section 1.** That § 32-35-121 be AMENDED:

6 **32-35-121. Suspension of license--Period of suspension--Transmission of**
7 **surrendered license.**

8 ~~The~~ Subject to § 32-35-121.1, the magistrate judge or circuit judge shall
9 additionally suspend the driver's driver license of any person convicted of a violation of
10 § 32-35-113 or 32-35-120 for a period of not less than thirty days and not to exceed one
11 year. If the person is being convicted for a second or subsequent violation of § 32-35-113
12 or 32-35-120, the judge shall suspend the driver license of the person for a period of not
13 less than ninety days and not to exceed one year. Any ~~drivers~~ driver license surrendered
14 to the court pursuant to this section shall be transmitted by the clerk of court together
15 with the required report of the conviction, to the Department of Public Safety within ten
16 days of the conviction.

17 **Section 2.** That a NEW SECTION be added:

18 **32-35-121.1. Reinstatement of license--Requirements--Exception.**

19 Notwithstanding §§ 32-35-121 and 32-35-122, the department shall reinstate the
20 driver license of a person convicted of a violation of § 32-35-113 or 32-35-120
21 immediately and without any restriction if the person:
22 (1) Provides proof of having established one of the forms of financial responsibility
23 specified in § 32-35-113; and

1 (2) Pays any costs, penalties, assessments, surcharges, and fines imposed by reason
2 of the violation.

3 This section does not apply if the citation for a violation of § 32-35-113 or 32-35-
4 120 was issued at the scene of or in connection with a motor vehicle accident.