



2020 South Dakota Legislature
House Bill 1170
ENROLLED

AN ACT

ENTITLED An Act to revise provisions regarding the use of certain lights by tow truck vehicles and Department of Transportation authorized vehicles.

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

Section 1. That § 32-17-10 be AMENDED:

32-17-10. Tow truck or wrecker defined--Amber or blue flashers--Violation as misdemeanor.

Unless the context otherwise requires, a tow truck or wrecker means any motor vehicle which is specially equipped to tow, haul, or push disabled automobiles, trucks, or tractors for commercial considerations, or operated by any person, for the purpose of towing or servicing any automobiles, trucks, or tractors owned by him. Any tow truck or wrecker may be equipped with and use an amber rotary beacon light or lights or other amber flashing or blinking light or lights of the type or similar to the type of lights used on emergency vehicles in this state. The amber lights may be used by a tow truck or wrecker only when actually engaging, towing, hauling, or pushing a disabled motor vehicle, or when ordered by a law enforcement officer for safety purposes to warn other motorists of the presence of the tow truck or wrecker. Any tow truck or wrecker may be equipped with and use a blue rotary beacon light or lights or other blue flashing or blinking light similar to the type of lights used on emergency vehicles in this state. The blue lights may be used by a tow truck or wrecker only when removing debris from a public road. A violation of this section is a Class 2 misdemeanor.

Section 2. That § 32-17-42 be AMENDED:

32-17-42. Lights on emergency vehicles--Duty of driver--Authorization to use lights--Violation as misdemeanor.

Any motor vehicle authorized by the Department of Transportation, a tow truck or wrecker as defined in § 32-17-10, or a vehicle operated by a member of an organized fire

department or organized search and rescue unit or by a person who is an ambulance driver, attendant, or emergency medical technician affiliated with a licensed ambulance service may be equipped with blue lights. This provision does not relieve the driver of such a vehicle from the duty to drive with due regard for the safety of all persons using the street nor does it protect the driver of any such vehicle from the consequence of a reckless disregard of the safety of others.

No person may use a blue light unless the person is authorized by this chapter and is either operating a Department of Transportation vehicle in performance of their duties in maintaining the highway, or actually en route to the scene of a fire or other emergency requiring the person's services and the person has been authorized in writing to so use a blue light. The authorization may be given by the Department of Transportation, highway patrol, chief of the fire department, coordinator of the search and rescue unit, or operator or ambulance service director of the ambulance service only to members of the department or service who are in good standing.

The unauthorized use of a blue light in violation of this section is a Class 2 misdemeanor.

An Act to revise provisions regarding the use of certain lights by tow truck vehicles and Department of Transportation authorized vehicles.

I certify that the attached Act originated in the:
House as Bill No. 1170

Chief Clerk

Speaker of the House

Attest:

Chief Clerk

President of the Senate

Attest:

Secretary of the Senate

House Bill No. 1170
File No. _____
Chapter No. _____

Received at this Executive Office
this ____ day of _____,
2020 at _____ M.

By _____
for the Governor

The attached Act is hereby
approved this _____ day of
_____, A.D., 2020

Governor

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

Filed _____, 2020
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State