2020 South Dakota Legislature

Senate Bill 164

ENROLLED

AN ACT

ENTITLED An Act to revise the penalties and provisions regarding approaching stopped vehicles.

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

Section 1. That § 32-31-6.1 be AMENDED:

32-31-6.1. Stopped emergency vehicle--Requirements for approaching vehicles--Violation as misdemeanor--Fine.

Upon approaching from any direction any stopped authorized emergency vehicle making use of red visual signals meeting the requirements of this title, the driver of every other vehicle shall come to a complete stop before reaching the stopped emergency vehicle and may, unless otherwise directed, proceed with caution only after ascertaining that it is safe to do so, and upon approaching from any direction any stopped vehicle making use of amber, yellow, or blue warning lights, the driver of every other vehicle shall:

(1) If driving on an interstate highway or other highway with two or more lanes traveling in the same direction as the vehicle, merge into the lane farthest from the vehicle at least three hundred feet before the vehicle and proceed with caution, unless otherwise directed; or

(2) If driving on a two lane highway, at least three hundred feet before the vehicle, slow to a speed that is at least twenty miles per hour less than the posted speed limit or five miles per hour when the speed limit is posted at twenty miles per hour or less and proceed with caution, unless otherwise directed.

A violation of this section is a Class 2 misdemeanor and has a minimum fine of two hundred seventy dollars.

Section 2. That a NEW SECTION be added:

32-31-6.2. Causing an accident--Stopped emergency vehicle--Violation as misdemeanor.

Any person who, while violating § 32-31-6.1, causes an accident is guilty of a Class 1 misdemeanor if the accident is with a stopped emergency vehicle making use of its red visual signals or any stopped vehicle making use of amber, yellow, or blue warning lights.

An Act to revise the penalties and provisions regarding approaching stopped vehicles.

I certify that the attached Act originated in the:

Senate as Bill No. 164

Secretary of the Senate

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

President of the Senate

Attest:

Secretary of the Senate

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

Speaker of the House

Filed _____, 2020 at _____ o'clock __M.

Attest:

Chief Clerk

Secretary of State

Senate Bill No. 164
File No. _____
Chapter No. _____

By _____
Asst. Secretary of State