

AN ACT

ENTITLED, An Act to exempt law enforcement officers from the requirement of the use of motor vehicle lights under certain circumstances.

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

Section 1. That chapter 32-17 be amended by adding thereto a NEW SECTION to read as follows:

The requirements of § 32-17-4 do not apply to a law enforcement officer, as defined in § 23-3-27, while operating a motor vehicle owned, leased, or otherwise the property of the state or a political subdivision, in the performance of the officer's law enforcement duties if the officer's conduct is reasonable, and if the officer reasonably believes that operating the vehicle without lights is necessary under the circumstances to investigate a criminal violation or suspected criminal violation of state laws or rules, court orders, or municipal or county laws, ordinances, or regulations. A law enforcement officer may not operate a motor vehicle without lights under this section:

- (1) At speeds greater than what is reasonable and prudent under existing weather, road, and traffic conditions;
- (2) In situations in which the officer is an active participant in pursuing a motor vehicle; or
- (3) Contrary to written policies or procedures established by the law enforcement officer's employer.

An Act to exempt law enforcement officers from the requirement of the use of motor vehicle lights under certain circumstances.

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I certify that the attached Act originated in the

SENATE as Bill No. 214

\_\_\_\_\_  
Secretary of the Senate

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\_\_\_\_\_  
President of the Senate

Attest:

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Speaker of the House

Attest:

\_\_\_\_\_  
Chief Clerk

Senate Bill No. 214  
File No. \_\_\_\_\_  
Chapter No. \_\_\_\_\_

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Received at this Executive Office this \_\_\_\_ day of \_\_\_\_\_ ,

19\_\_ at \_\_\_\_ M.

By \_\_\_\_\_  
for the Governor

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The attached Act is hereby approved this \_\_\_\_\_ day of \_\_\_\_\_ , A.D., 19\_\_

\_\_\_\_\_  
Governor

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STATE OF SOUTH DAKOTA,  
ss.

Office of the Secretary of State

Filed \_\_\_\_\_ , 19\_\_  
at \_\_\_\_\_ o'clock \_\_ M.

\_\_\_\_\_  
Secretary of State

By \_\_\_\_\_  
Asst. Secretary of State