

AN ACT

ENTITLED, An Act to revise certain provisions relating to the required use of diver-down flags and mandatory motorboat distance restrictions.

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

Section 1. That § 42-8-44.1 be amended to read as follows:

42-8-44.1. Any diver using a self-contained underwater breathing apparatus, a forced air breathing line system, a snorkel, or any other means of underwater air supply for the purpose of underwater activity, operating in the waters of this state, except in an area from which all motorboats or sailboats are prohibited from operating, shall perform the activity within an imaginary cylinder extending downward from an imaginary circle formed on the surface of the body of water by revolving a seventy-five foot radius three hundred sixty degrees about a point marked by the display of a flag as provided by this section. The flag is referred to as the diver-down flag. The diver-down flag shall be a rectangle with a bright red field crossed by a diagonal white strip running from the upper-left corner to the bottom-right corner of the rectangle and shall be clearly visible and securely attached or anchored to a float, a rubber tube, a diver, or a boat. A violation of this section is a Class 2 misdemeanor.

Section 2. That § 42-8-44.2 be amended to read as follows:

42-8-44.2. No watercraft under power with an internal combustion engine may be operated within the surface area described by such circle as prescribed by § 42-8-44.1, nor may any waterskiing or surfboarding or other surface activity potentially dangerous to the diver be performed in the area described by the circle, except when the craft or activity are a part of or related to the diving activity. A violation of this section is a Class 2 misdemeanor.

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I certify that the attached Act originated in the

SENATE as Bill No. 34

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. 34
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