

# State of South Dakota

SEVENTY-FOURTH SESSION  
LEGISLATIVE ASSEMBLY, 1999

278C0753

## HOUSE BILL NO. 1261

Introduced by: Representatives Solum, Broderick, Fischer-Clemens, Fryslie, Kazmerzak,  
Konold, Munson (Donald), Pummel, and Sebert and Senators Daugaard, Brosz,  
Reedy, and Shoener

1 FOR AN ACT ENTITLED, An Act to revise certain insurance requirements for vehicles.

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

3 Section 1. That § 32-35-70 be amended to read as follows:

4 32-35-70. An owner's policy of liability insurance referred to in § 32-35-68 shall insure the  
5 person named ~~therein~~ in the policy and any other person as insured, using any insured vehicle or  
6 vehicles with the express or implied permission of the named insured, against loss from the  
7 liability imposed by law for damages arising out of the ownership, maintenance, or use of the  
8 vehicle or vehicles within the United States of America or the Dominion of Canada, subject to  
9 limits exclusive of interests and costs, with respect to each insured vehicle, as follows:  
10 ~~twenty-five~~ fifty thousand dollars because of bodily injury to or death of one person in any one  
11 accident and, subject to the limit for one person, ~~fifty~~ one hundred thousand dollars because of  
12 bodily injury to or death of two or more persons in any one accident, and ~~twenty-five~~ fifty  
13 thousand dollars because of injury to or destruction of property of others in any one accident.  
14 If the policy complies with the filing and form requirements of Title 58 and has been approved  
15 by the Division of Insurance, the driver and owner has complied with this chapter. The policy  
16 may exclude liability coverage if the policyholder certifies in writing that the vehicle will not be

1 operated during the policy period. The policy may exclude or limit coverage pursuant to  
2 § 58-11-9.3, or for a relative residing in the named insured's household. Policies issued after  
3 January 1, 1987, and owners who have purchased such policies are in compliance with this  
4 chapter. Date of compliance does not affect any pending litigation.