

State of South Dakota

SEVENTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2001

435E0103

HOUSE BILL NO. 1166

Introduced by: Representatives Kloucek and Napoli and Senator Putnam

1 FOR AN ACT ENTITLED, An Act to prohibit local regulation of certain motor vehicle exhaust
2 brake systems.

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

4 Section 1. That chapter 32-15 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 No county, municipality, township, or any other unit of local government may prohibit or
7 regulate the use of motor vehicle brake systems that utilize the vehicle's exhaust system,
8 commonly referred to as exhaust brakes, if the exhaust brakes and the vehicle's exhaust system
9 are properly muffled and are in compliance with the provisions of this title. However, any
10 governmental unit may prohibit the use of unmuffled exhaust brakes.