

State of South Dakota

SEVENTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2001

400E0345

SENATE STATE AFFAIRS COMMITTEE ENGROSSED

NO. **SB 25** - 02/05/2001

Introduced by: The Committee on State Affairs at the request of the Department of Health

1 FOR AN ACT ENTITLED, An Act to require the use of safety seat belts by passenger vehicle
2 occupants under eighteen years of age.

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

4 Section 1. That chapter 32-37 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 Any operator of a passenger vehicle operated on a public street or highway in this state
7 transporting a passenger who is at least five and under eighteen years of age shall assure that the
8 passenger is wearing a properly adjusted and fastened safety seat belt system, required to be
9 installed in the passenger vehicle if manufactured pursuant to Federal Motor Vehicle Safety
10 Standard Number 208 (49 C.F.R. 571.208) in effect January 1, 1989, at all times when the
11 vehicle is in motion. A violation of this section is a petty offense.

12 Section 2. That chapter 32-37 be amended by adding thereto a NEW SECTION to read as
13 follows:

14 Any operator of any passenger vehicle operated on a public street or highway in this state,
15 who is at least fourteen years of age and under eighteen years of age, shall wear a properly

1 adjusted and fastened safety seat belt system, required to be installed in the passenger vehicle if
2 manufactured pursuant to Federal Motor Vehicle Safety Standard Number 208 (49 C.F.R.
3 571.208) in effect January 1, 1989, at all times when the vehicle is in motion. A violation of this
4 section is a petty offense.

5 Section 3. That chapter 32-37 be amended by adding thereto a NEW SECTION to read as
6 follows:

7 Any passenger of any passenger vehicle operated on a public street or highway in this state,
8 who is at least fourteen years of age and under eighteen years of age, shall wear a properly
9 adjusted and fastened safety seat belt system, required to be installed in the passenger vehicle if
10 manufactured pursuant to Federal Motor Vehicle Safety Standard Number 208 (49 C.F.R.
11 571.208) in effect January 1, 1989, at all times when the vehicle is in motion. A violation of this
12 section is a petty offense.

13 Section 4. That § 32-37-2 be amended to read as follows:

14 32-37-2. The provisions of ~~§ 32-37-1~~ this chapter do not apply:

15 ~~(1) If all seating positions equipped with seat belts are occupied, or~~

16 ~~(2) In in~~ passenger cars manufactured before 1966 that have not been equipped with seat
17 belts.