

# State of South Dakota

SEVENTY-SEVENTH SESSION  
LEGISLATIVE ASSEMBLY, 2002

400H0194

## SENATE ENGROSSED NO. **HB 1038** - 02/04/2002

Introduced by: The Committee on Transportation at the request of the Department of  
Commerce and Regulation

1 FOR AN ACT ENTITLED, An Act to authorize certain law enforcement vehicles to exceed  
2 speed limits without the use of an audible siren, air horn, or flashing emergency lights under  
3 certain conditions.

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

5 Section 1. That § 32-31-4 be amended to read as follows:

6 32-31-4. The speed limit set out in §§ 32-25-1.1 to 32-25-17, inclusive, does not apply to  
7 any authorized emergency vehicle responding to an emergency call if the driver sounds an audible  
8 siren or air horn, or both, and displays flashing, oscillating, or rotating beams of red light or  
9 combinations of red, blue, or white light visible one hundred eighty degrees to the front of the  
10 vehicle. The lights shall be capable of warning the public of the presence of an emergency vehicle  
11 under normal atmospheric conditions. The speed limit set out in §§ 32-25-1.1 to 32-25-17,  
12 inclusive, does not apply to any certified authorized emergency ~~vehicles~~ vehicle operated by any  
13 law enforcement ~~officers~~ officer who ~~are~~ is measuring the speed of other vehicles by use of the  
14 emergency vehicle speedometer, while any certified law enforcement officer is overtaking an  
15 actual or suspected violator of the law, or while any certified law enforcement officer is



1 responding to an emergency call. Moreover, the driver of an ambulance who has been certified  
2 pursuant to § 34-11-6 may operate the emergency vehicle in excess of the speed limit without  
3 audible signals while operating outside the city limits of a municipality.