

State of South Dakota

SEVENTY-SEVENTH SESSION
LEGISLATIVE ASSEMBLY, 2002

400H0205

SENATE STATE AFFAIRS COMMITTEE ENGROSSED

NO. **HB 1024** - 02/08/2002

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

1 FOR AN ACT ENTITLED, An Act to revise the penalties for overweight vehicle violations.

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

3 Section 1. That § 32-22-55 be amended to read as follows:

4 32-22-55. Any person who is convicted of the offense of operating a motor vehicle upon the
5 public highways of this state with weight upon any wheel, axle, or groups of axles or upon more
6 than one thereof greater than the maximum permitted by §§ 32-22-2 to 32-22-33, inclusive,
7 32-22-47 and 32-22-48 shall be fined in addition to, and not in substitution for, any other
8 penalties now provided by law for such offense in the following amounts:

9 In an amount equal to five cents per pound for each pound of such excess or combined
10 excess weight over one thousand pounds if such excess is three thousand pounds or less.

11 In an amount equal to fifteen cents per pound for each pound of such excess or combined
12 excess weight if such excess exceeds three thousand pounds and is four thousand pounds or less.

13 In an amount equal to twenty-two and one-half cents per pound for each pound of such
14 excess or combined excess weight if such excess exceeds four thousand pounds and is five



1 thousand pounds or less.

2 In an amount equal to thirty-seven and one-half cents per pound for each pound of such
3 excess or combined excess weight if such excess ~~is more than~~ exceeds five thousand pounds and
4 is ten thousand pounds or less.

5 In an amount equal to seventy-five cents per pound for each pound of such excess or
6 combined excess weight if such excess is more than ten thousand pounds.

7 The fine schedule in this section is assessed at a single rate according to the cents per pound
8 penalty for the highest weight violation.

9 Section 2. That § 32-22-56 be repealed.

10 ~~—32-22-56. In any case where the motor vehicle is absolutely overweight beyond ten thousand~~
11 ~~pounds, the pounds by which the vehicle is so overweight shall be assessed at double the~~
12 ~~penalties prescribed in § 32-22-55.~~