

2022 South Dakota Legislature

House Bill 1078**AMENDMENT 1078B FOR THE HOUSE TRANSPORTATION
ENGROSSED BILL**

1 **An Act to authorize the use of electric all-terrain and off-road vehicles on public**
2 **highways and to declare an emergency.**

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

4 **Section 1. That § 32-20-13 be AMENDED:**

5 **32-20-13.** Any all-terrain vehicle with four or more wheels and with a combustion
6 engine having a piston or rotor displacement of two hundred cubic centimeters or more
7 or any off-road vehicle with two wheels and with a combustion engine having a piston or
8 rotor displacement of one hundred twenty cubic centimeters or more or any all-terrain
9 vehicle, with four or more wheels, propelled by an electric motor that draws power from
10 a battery that is capable of being recharged may be licensed as a motorcycle pursuant to
11 chapter 32-5 to be used on a public highway.

12 Prior to being licensed, the vehicle shall meet the necessary light, brake, and other
13 vehicle accessory requirements provided by chapters 32-15, 32-17, and 32-18 that are
14 applicable to motorcycles.

15 This section does not apply to a golf cart, as defined in § 32-14-13, a low-speed
16 vehicle, as described in § 32-3-71, or a toy or youth off-road vehicle.

17 Any vehicle licensed pursuant to this section may not be operated on the interstate
18 highway system. A person who operates any vehicle licensed pursuant to this section on
19 the interstate highway system is guilty of a Class 2 misdemeanor.

20 **Section 2. Whereas, this Act is necessary for the support of the state government and its**
21 **existing public institutions, an emergency is hereby declared to exist, and this Act shall be in**
22 **full force and effect from and after its passage and approval.**