

# State of South Dakota

## EIGHTY-NINTH SESSION LEGISLATIVE ASSEMBLY, 2014

945V0417

### HOUSE BILL NO. 1122

Introduced by: Representatives Hajek, Anderson, Erickson, Gibson, Gosch, Hoffman, Killer, Kopp, Latterell, Stevens, and Westra and Senators Lederman, Holien, Jones (Chuck), Maher, Rave, and White

1 FOR AN ACT ENTITLED, An Act to prohibit the collection in South Dakota of civil fines  
2 arising from speeding or red light cameras in other states.

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

4 Section 1. Terms used in this Act mean:

5 (1) "Red Light Camera," a fixed, automated camera, generally triggered when a vehicle  
6 enters an intersection after the traffic light has turned red; and

7 (2) "Speed Camera," a fixed, automated camera, usually equipped with a radar detector,  
8 used to measure and record the speed of vehicles for the purpose of fining drivers  
9 over the speed limit.

10 Section 2. It is against the public policy of the State to aid or assist in the enforcement of  
11 fines or penalties levied against South Dakota residents that arise out of speed camera or red  
12 light camera civil infractions in other states. The State will not assist in the placement of a lien,  
13 garnishment of wages, or otherwise enable the collection of the civil fine.

14 Section 3. No collection agency or company may contact a South Dakota resident by



1 telephone, mail, electronic means, or any other manner, nor utilize the court system of South  
2 Dakota, in an effort to collect a fine derived from a speed camera or red light camera civil  
3 violation, or file a report with any credit bureau regarding the unpaid civil fine. No court of the  
4 State has jurisdiction to enforce a speeding camera or red light camera civil judgment against  
5 a resident. A South Dakota resident contacted by telephone, mail, electronic means, or any other  
6 manner by a collection company or agency attempting to collect speed camera or red light  
7 camera civil fines may seek damages in small claims court in the county of their residence,  
8 pursuant to chapter 15-39, for no more than three times the amount of the civil fine issued  
9 against the resident.