



## 2026 South Dakota Legislature

# House Bill 1024

Introduced by: **Representatives** Walburg, Emery, Garcia, Hunt, and Kull and **Senators** Grove, Reed, and Voight at the request of the Study Committee on Emergency Medical Services

1 **An Act to modify requirements for ambulance operators.**

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

3 **Section 1. That § 32-17-42 be AMENDED:**

4 **32-17-42.** A motor vehicle may be equipped with blue lights if it is:

- 5 (1) Authorized by the Department of Transportation;
- 6 (2) A tow truck or wrecker as defined in § 32-17-10; or
- 7 (3) Operated by:
- 8 (a) A member of a fire department or search and rescue unit; or
- 9 (b) An ambulance operator ~~certified in accordance with chapter 36-4B~~ who
- 10 meets the requirements of section 4 of this Act.

11 This provision does not relieve the driver of the vehicle from the duty to drive with

12 due regard for the safety of all persons using the street, nor does it protect the driver

13 from the consequence of a reckless disregard for the safety of others.

14 No person may use a blue light unless the person is authorized by this chapter and

15 is operating a Department of Transportation vehicle or a county highway vehicle in

16 performance of winter highway maintenance duties, or the person is actually en route to

17 the scene of a fire or other emergency requiring the person's services and the person has

18 been authorized in writing to use a blue light. Authorization for use of a blue light in

19 accordance with this chapter may be given by the Department of Transportation, the

20 highway patrol, a county highway superintendent, the chief of a fire department, the

21 coordinator of a search and rescue unit, or the director of an ambulance service, and only

22 to members of the department or service who are in good standing.

23 The use of a blue light in violation of this section is a Class 2 misdemeanor.

24 **Section 2. That § 32-31-4 be AMENDED:**

1           **32-31-4.** The speed limits set forth in §§ 32-25-1.1 to 32-25-17, inclusive, do not  
2 apply to any authorized emergency vehicle responding to an emergency call if the driver  
3 sounds an audible siren or air horn, or both, or displays flashing, oscillating, or rotating  
4 beams of red light, or combinations of red, blue, or white light, visible one hundred eighty  
5 degrees to the front of the vehicle. The lights must be capable of warning the public of the  
6 presence of an emergency vehicle under normal atmospheric conditions.

7           The speed limits set forth in §§ 32-25-1.1 to 32-25-17, inclusive, do not apply to  
8 authorized emergency vehicles operated by law enforcement officers who are measuring  
9 the speed of other vehicles by use of the emergency vehicle speedometer.

10           An ambulance operator ~~certified pursuant to chapter 36-4B~~ who meets the  
11 requirements of section 4 of this Act may operate an ambulance in excess of the speed  
12 limit without audible signals while operating outside the city limits of a municipality.

13 **Section 3. That § 34-11-12 be AMENDED:**

14           **34-11-12.** Each ambulance run must include:

- 15           (1) One emergency medical technician or one advanced life support personnel,  
16 licensed pursuant to chapter 36-4B; and  
17           (2) One ambulance operator ~~certified in accordance with chapter 36-4B~~ who meets the  
18 requirements of section 4 of this Act.

19 **Section 4. That a NEW SECTION be added to chapter 34-11:**

20           An ambulance operator must be eighteen years or older, possess a driver's license,  
21 and:

- 22           (1) Be licensed as emergency medical services personnel in accordance with chapter  
23 36-4B;  
24           (2) Be a law enforcement officer, as defined in § 23-3-27; or  
25           (3) Provide documentation to the ambulance service that the individual:  
26                (a) Has completed training in cardiopulmonary resuscitation offered by a state  
27 or national organization and approved by the medical or program director;  
28                and  
29                (b) Has completed an emergency vehicle operator course, which consists of at  
30 least sixteen hours of instruction, offered by a state or national  
31 organization, and approved by the medical or program director.

32           The ambulance service shall maintain the documentation required by this section  
33 and shall provide it to the department, upon request.

1 **Section 5. That § 36-4B-1 be AMENDED:**

2 **36-4B-1.** Terms used in this chapter mean:

- 3 (1) "Advanced life support," a level of emergency care consisting of basic life support  
4 procedures and definitive therapy;
- 5 (2) "Advanced life support personnel," a person licensed by the board as:  
6 (a) An emergency medical technician-intermediate/85;  
7 (b) An emergency medical technician-intermediate/99;  
8 (c) An advanced emergency medical technician; or  
9 (d) A paramedic;
- 10 (3) "Basic life support personnel," a person licensed by the board as:  
11 (a) ~~Certified by the board as an ambulance operator;~~  
12 (b) ~~Licensed by the board as an emergency~~ An emergency medical responder;  
13 or  
14 (c) ~~Licensed by the board as an emergency~~ An emergency medical technician;
- 15 (4) "Board," the State Board of Medical and Osteopathic Examiners;
- 16 (5) "Direct control," real-time communications during an ambulance run between  
17 emergency medical services personnel and a physician, physician assistant, or  
18 nurse practitioner, licensed in this state;
- 19 (6) "Emergency medical services," health care provided to a patient by emergency  
20 medical services personnel;
- 21 (7) "Emergency medical services personnel," a person licensed by the board as:  
22 (a) An emergency medical responder;  
23 (b) An emergency medical technician;  
24 (c) An emergency medical technician-intermediate/85;  
25 (d) An emergency medical technician-intermediate/99;  
26 (e) An advanced emergency medical technician; or  
27 (f) A paramedic; and
- 28 (8) "Indirect control," the establishment and implementation of guidelines, policies, and  
29 protocols approved by a physician, physician assistant, or nurse practitioner,  
30 licensed in this state.

31 **Section 6. That § 36-4B-31 be AMENDED:**

1           **36-4B-31.** The board may deny the issuance or renewal of a license ~~or~~  
 2 ~~certification~~, and may suspend or revoke a license ~~or certification~~ issued under this  
 3 chapter, if the individual:

- 4           (1) Procures or attempts to procure a license ~~or certification~~ through fraud, deceit,  
 5 misrepresentation, or in violation of the provisions of this chapter and rules  
 6 promulgated thereunder;
- 7           (2) Is unable to perform the skills for which the individual is licensed;
- 8           (3) Has engaged in unprofessional or dishonorable conduct, as defined in § 36-4-30;
- 9           (4) Has been convicted of a felony that:
- 10           (a) Has a direct bearing upon the individual's ability to serve the public in a  
 11 capacity ~~certified or~~ licensed by this chapter; or
- 12           (b) Has been convicted of a crime that requires the individual to register as a  
 13 sex offender in any state;
- 14           (5) Has had the individual's National Registry of Emergency Technicians or other health  
 15 care certification or license encumbered for any reason;
- 16           (6) Provides emergency medical services without authorization from a physician,  
 17 physician assistant, or nurse practitioner; or
- 18           (7) Fails to respond to an emergency while on call through willful disregard and not by  
 19 a good-faith error or circumstances beyond the individual's control.

20   **Section 7. That § 36-4B-35 be AMENDED:**

21           **36-4B-35.** The board shall promulgate rules, pursuant to chapter 1-26, to:

- 22           (1) Provide ~~for~~ an application form and process for the licensure of emergency medical  
 23 services personnel ~~and the certification of ambulance operators~~;
- 24           (2) ~~Set forth~~ Establish criteria for educational and training program approval, including  
 25 instructor qualifications, student acceptance, and clinical requirements;
- 26           (3) Establish the educational and training requirements, and the National Registry of  
 27 Emergency Medical Technicians requirements, for applicants seeking licensure as  
 28 emergency medical services personnel;
- 29           (4) ~~Provide for the renewal of ambulance operator certification and~~ Establish  
 30 continuing education requirements for emergency medical services personnel;
- 31           (5) Establish procedures for the administration of the emergency medical services  
 32 personnel program;
- 33           (6) Regulate the professional conduct of emergency medical services personnel ~~and~~  
 34 ~~ambulance operators~~;

- 1 (7) Establish the educational and training requirements, and conditions for issuance of  
 2 a critical care endorsement, as provided for in § 36-4B-18.1;
- 3 (8) Establish the:
- 4 (a) Educational and training requirements and conditions for issuance of a  
 5 community paramedic endorsement; and
- 6 (b) Practice protocols and supervisory requirements for a person with a  
 7 community paramedic endorsement; and
- 8 (9) Establish the allowable skills and techniques performed by emergency medical  
 9 services personnel under direct and indirect control.

10 **Section 8. That § 36-4B-42 be AMENDED:**

11 **36-4B-42.** Any individual licensed ~~or certified~~ in accordance with this chapter must  
 12 report any of the following occurrences to the board, within thirty days of the date of the  
 13 occurrence:

- 14 (1) Conviction or discipline for unprofessional conduct or dishonorable conduct, as  
 15 defined in § 36-4-30;
- 16 (2) Any encumbrance of the individual's National Registry of Emergency Medical  
 17 Technicians or other health care certification or licensure;
- 18 (3) Hospital disciplinary action implicating the individual;
- 19 (4) Action affecting the individual's privilege to practice;
- 20 (5) Judgment or settlement related to the individual's alleged malpractice; and
- 21 (6) Change in the individual's:
- 22 (a) Home address;
- 23 (b) Business address;
- 24 (c) Home phone number;
- 25 (d) Work phone number;
- 26 (e) Email address; or
- 27 (f) Other information that is used for communicating with the board.
- 28 Failure to report may constitute a basis for disciplinary action against the individual.

29 **Section 9. That § 36-4B-41 be REPEALED.**

- 30 ~~The board may issue a certification as an ambulance operator to a person who:~~
- 31 ~~(1) Completes an emergency care course approved by the board; and~~
- 32 ~~(2) Applies on a form prescribed by the board.~~