

State of South Dakota

SEVENTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2001

400E0345

SENATE ENGROSSED NO. **SB 25** - 02/07/2001

This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsor.

Introduced by: The Committee on State Affairs at the request of the Department of Health

1 FOR AN ACT ENTITLED, An Act to require the use of safety seat belts by passenger vehicle
2 occupants.

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

4 Section 1. That § 32-38-1 be amended to read as follows:

5 32-38-1. Except as provided in chapter 32-37 and § 32-38-3, ~~every~~ any operator and ~~front~~
6 ~~seat~~ any passenger of a passenger vehicle operated on a public highway in this state shall wear
7 a properly adjusted and fastened safety seat belt system, required to be installed in the passenger
8 vehicle ~~when~~ if manufactured pursuant to Federal Motor Vehicle Safety Standard Number 208
9 (49 C.F.R. 571.208) in effect January 1, 1989, at all times when the vehicle is in forward motion.
10 The driver of the passenger vehicle shall secure or cause to be secured a properly adjusted and
11 fastened safety seat belt system on any passenger ~~in the front seat~~ who is at least five years of age
12 but younger than ~~eighteen~~ fourteen years of age. Any violation of this section is not a moving
13 traffic offense under the provisions of § 32-12-49.1. A violation of this section is a petty offense.

14 Section 2. That § 32-38-5 be repealed.

15 ~~32-38-5. Enforcement of this chapter by state or local law enforcement agencies shall be~~

1 ~~accomplished as a secondary action. A violation of this chapter is a petty offense.~~