2024 South Dakota Legislature

House Bill 1078

Introduced by: ***Representative*** *Blare*

An Act to allow compliance with seat belt laws to be considered in determining damages for injuries.

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

Section 1. That § 32-38-4 be AMENDED:

32-38-4. Failure to comply with the provisions of this chapter ~~does~~ may not constitute contributory negligence, comparative negligence, or assumption of the risk. Failure to comply with the provisions of this chapter may not be introduced as evidence in any criminal litigation other than a prosecution under this chapter ~~or~~. Failure to comply with the provisions of this chapter may be introduced as evidence in any civil litigation on the issue of injuries or on the issue of mitigation of damages.