

State of South Dakota

SEVENTY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 1997

372A0463

HOUSE BILL NO. 1092

Introduced by: Representatives Fischer-Clemens, Belatti, Brosz, Crisp, Kazmerzak, Koetzle, Moore, Peterson (Bill), Schrempp, and Sperry and Senators Olson, Dunn (Jim), Everist, Hainje, and Morford-Burg

1 FOR AN ACT ENTITLED, An Act to revise certain provisions related to the operation of
2 motorboats.

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

4 Section 1. That § 42-8-58 be amended to read as follows:

5 42-8-58. The operator of a boat on public waters shall, in the case of a collision or an
6 accident resulting in damage to a boat or other property in excess of five hundred dollars or
7 resulting in death or injury to a person requiring medical attention, ~~give notice to and file with~~
8 ~~the Department of Game, Fish and Parks a full description of the collision or accident upon forms~~
9 ~~provided by the department and available from any state or county law enforcement agency. If~~
10 ~~the collision or accident resulted in death or injury to a person requiring medical attention, the~~
11 ~~operator shall file within forty-eight hours. If the collision or accident resulted in damage to a~~
12 ~~boat or other property in excess of five hundred dollars but does not result in death or injury, the~~
13 ~~operator shall file within ten days. If the operator is unable to file, then someone acting for the~~
14 ~~operator may file. The secretary of game, fish and parks may investigate the circumstances of the~~
15 ~~accident~~ immediately give notice of the collision or accident to the nearest conservation officer

1 or peace officer. Any person who fails to file a report as required by this section is guilty of a
2 Class 2 misdemeanor.

3 Section 2. That § 42-8-69 be amended to read as follows:

4 42-8-69. No owner of a motorboat which is propelled by a motor of more than six
5 horsepower may allow any person under ~~twelve~~ fourteen years of age to operate such a
6 motorboat unless such person is accompanied by a person of at least eighteen years of age. A
7 violation of this section is a Class 2 misdemeanor.