

State of South Dakota

SEVENTY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 1998

400B0219

HOUSE BILL NO. 1043

Introduced by: The Committee on Commerce at the request of the Department of Commerce
and Regulation

1 FOR AN ACT ENTITLED, An Act to revise the length of time financial responsibility must be
2 maintained by certain persons to have driving privileges.

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

4 Section 1. That § 32-35-95 be amended to read as follows:

5 32-35-95. The Department of Commerce and Regulation shall, upon request, consent to the
6 immediate cancellation of any bond or certificate of insurance, or the department shall direct and
7 the state treasurer shall return to the person entitled thereto any money or securities deposited
8 pursuant to this chapter as proof of financial responsibility, or the department shall waive the
9 requirement of filing proof, in any of the following events:

10 (1) At any time after ~~three years from the date such proof was required when~~ proof has
11 been shown continuously for a one-year period from the reinstatement of the license
12 and if during the ~~three-year~~ one-year period preceding the request, the department has
13 not received record of a conviction or a forfeiture of bail which would require or
14 permit the suspension or revocation of the license or registration of the person by or
15 for whom such proof was furnished; ~~or~~

- 1 (2) In the event of the death of the person on whose behalf such proof was filed or the
2 permanent incapacity of such person to operate a motor vehicle; or
- 3 (3) In the event the person who has given proof surrenders ~~his~~ the person's license and
4 registration to the department; or
- 5 (4) Upon satisfying a judgment in full if the judgment debtor has received ~~his~~ a license and
6 registration or nonresident's operating privilege pursuant to § 32-35-54 and has
7 furnished proof of financial responsibility continuously for ~~the last three years~~ one
8 year from the reinstatement date of the license.

9 Section 2. That § 32-35-97 be amended to read as follows:

10 32-35-97. ~~Whenever~~ If any person whose proof has been canceled or returned under
11 subdivision 32-35-95(3) applies for a license or registration ~~within a period of three years from~~
12 ~~the date proof was originally required,~~ any such application shall be refused unless the applicant
13 ~~shall reestablish~~ reestablishes such proof ~~for the remainder of such three-year period and~~
14 maintains proof for a continuous one-year period from the reinstatement of the driver's license.