

State of South Dakota

SEVENTY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 1998

419B0410

HOUSE BILL NO. 1147

Introduced by: Representatives Wick, Crisp, Duniphan, Fiegen, Fitzgerald, Kooistra, Peterson (Bill), Smidt, and Wetz and Senators Albers, Shoener, and Stagers

1 FOR AN ACT ENTITLED, An Act to provide for the suspension of driving privileges of
2 persons under the age of twenty-one who have committed certain alcohol-related offenses.

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

4 Section 1. That § 32-12-52.4 be amended to read as follows:

5 32-12-52.4. Upon a first conviction for violation, ~~while in a motor vehicle,~~ of § 35-9-2, the
6 court shall suspend the driver's license or driving privilege of any ~~driver of a vehicle~~ person who
7 was under the age of twenty-one when the offense occurred, for a period of six months.

8 Upon a second ~~or subsequent~~ conviction for a violation, ~~while in a motor vehicle,~~ of
9 § 35-9-2, the court shall suspend the driver's license or driving privilege of any ~~driver of a vehicle~~
10 person who was under the age of twenty-one when the offense occurred, for a period of one
11 year. Upon a third or subsequent conviction for a violation of § 32-9-2, the court shall suspend
12 the driver's license or driving privilege of any person who was under the age of twenty-one when
13 the offense occurred until the person reaches the age of twenty-one or for a period of one year,
14 whichever time period is greater. For any offense under this section, the court may issue an order
15 permitting the person to operate a motor vehicle for purposes of the person's employment or

1 attendance at school.

2 Notwithstanding the provisions of chapters 26-7A, 26-8A, 26-8B, and 26-8C, the unified
3 judicial system shall notify the Department of Commerce and Regulation of any conviction for
4 a violation, ~~while in a motor vehicle~~, of § 35-9-2 or chapter 32-23. The period of suspension
5 shall begin on the date the person's suspended driver's license is received by the court or the
6 Department of Commerce and Regulation. At the expiration of the period of suspension, a
7 person may make application to have the license reinstated and pay the license fee as prescribed
8 in § 32-12-47.1.