

# State of South Dakota

SEVENTY-THIRD SESSION  
LEGISLATIVE ASSEMBLY, 1998

914B0411

## HOUSE BILL NO. 1148

Introduced by: Representatives Wick, Duniphan, Fiegen, Fitzgerald, Kooistra, Peterson (Bill),  
Smidt, Van Gerpen, and Wetz and Senators Paisley and Shoener

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

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

4 Section 1. Upon a first conviction for a violation of § 26-10-20 or 26-10-23, the court shall  
5 suspend the driver's license or driving privilege of any person who was under the age of eighteen  
6 when the offense occurred, for a period of ninety days. Upon a second conviction for a violation  
7 of § 26-10-20 or 26-10-23, the court shall suspend the driver's license or driving privilege of any  
8 person who was under the age of eighteen when the offense occurred, for a period of one  
9 hundred eight days. Upon a third or subsequent conviction for a violation of § 26-10-20 or 26-  
10 10-23, the court shall suspend the driver's license or driving privilege of any person who was  
11 under the age of eighteen when the offense occurred until the person reaches the age of eighteen  
12 or for a period of one year, whichever time period is greater. For any offense under this section,  
13 the court may issue an order permitting the person to operate a motor vehicle for purposes of  
14 the person's employment or attendance at school.

15 Notwithstanding the provisions of chapters 26-7A, 26-8A, 26-8B, and 26-8C, the Unified

1 Judicial System shall notify the Department of Commerce and Regulation of any conviction for  
2 a violation of § 22-10-20 or 26-10-23. The period of suspension shall begin on the date the  
3 person's suspended driver's license is received by the court or the Department of Commerce and  
4 Regulation. At the expiration of the period of suspension, a person may make application to have  
5 the license reinstated and pay the license fee as prescribed in § 32-12-47.1.