

# State of South Dakota

SEVENTY-THIRD SESSION  
LEGISLATIVE ASSEMBLY, 1998

934B0598

## SENATE BILL NO. 104

Introduced by: Senators Whiting, Shoener, and Vitter and Representatives Duniphan and Wetz

1 FOR AN ACT ENTITLED, An Act to specify certain duties and the authority of persons  
2 assigned by law enforcement agencies to investigate traffic accidents.

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

4 Section 1. That § 32-33-1.1 be amended to read as follows:

5 32-33-1.1. A law enforcement officer arriving at the scene of a traffic accident may, based  
6 ~~upon~~ on probable cause, arrest or issue a summons to ~~a party~~ any person believed to have caused  
7 the accident by violating a criminal provision of this title. Any person assigned by a law  
8 enforcement agency to investigate traffic accidents may, based on probable cause, issue a  
9 summons to any person believed to have caused the accident by violating a criminal provision  
10 of this title.

11 Section 2. That § 32-34-10 be amended to read as follows:

12 32-34-10. Every law enforcement officer or other person assigned by a law enforcement  
13 agency to investigate traffic accidents shall, after receiving notice that an accident described in  
14 § 32-34-7 occurred, cause a notice to be affixed in a manner prescribed by the secretary of  
15 transportation to the vehicle damaged, indicating that the accident has been reported ~~to him~~ and  
16 the circumstances surrounding the accident are being investigated. The law enforcement officer

1 or other person assigned by a law enforcement agency to investigate traffic accidents shall  
2 forward to the Department of Transportation, within three days after completion of the  
3 investigation of the accident, an investigator's report of the accident so reported.