

State of South Dakota

SEVENTY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 1998

400B0220

SENATE BILL NO. 66

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

1 FOR AN ACT ENTITLED, An Act to increase the number of days a notice of intent to revoke
2 a driver's license may function as a temporary driver's license following an arrest involving
3 a refusal to submit to chemical analysis.

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

5 Section 1. That § 32-23-19 be amended to read as follows:

6 32-23-19. A law enforcement officer shall serve the notice of intent to revoke, on behalf of
7 the Department of Commerce and Regulation and shall take possession of any driver's license
8 issued by this state held by the person if the arrested driver refuses to submit to a chemical
9 analysis as directed by the officer pursuant to § 32-23-10. A copy of the completed notice of
10 intent to revoke form, and any South Dakota driver's license taken into possession shall be
11 forwarded to the department by the officer. If a valid South Dakota driver's license is
12 surrendered, the notice of intent to revoke shall function as a temporary license which is valid
13 for ~~forty-five~~ one hundred twenty days. Upon receipt of a petition for a hearing, the department
14 may extend the temporary license thirty days following the scheduled date of the hearing.