

AN ACT

ENTITLED, An Act to authorize the courts to suspend driving privileges for persons convicted of driving or physical control of a motor vehicle while under age twenty-one and under the influence of alcohol or controlled substances and to permit the granting of certain restricted driving privileges for such persons.

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

Section 1. That § 32-23-21 be amended to read as follows:

32-23-21. It is a Class 2 misdemeanor for any person under the age of twenty-one years to drive, operate, or be in actual physical control of any motor vehicle:

- (1) If there is physical evidence of 0.02 percent or more by weight of alcohol in the person's blood as shown by chemical analysis of the person's breath, blood, or other bodily substance; or
- (2) After having consumed marijuana or any controlled drug or substance for as long as physical evidence of the consumption remains present in the person's body.

If a person is found guilty of a violation of this section, the unified judicial system shall notify the Department of Commerce and Regulation. Upon conviction, the court shall suspend that person's driver's license or operating privilege for a period of six months for a first offense or one year for any second or subsequent offense. However, the court may, in its discretion, issue an order permitting the person to operate a motor vehicle during the hours and days of the week set forth in the order for purposes of the person's employment, attendance at school, or attendance at court-ordered counseling programs.

An Act to authorize the courts to suspend driving privileges for persons convicted of driving or physical control of a motor vehicle while under age twenty-one and under the influence of alcohol or controlled substances and to permit the granting of certain restricted driving privileges for such persons.

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I certify that the attached Act originated in the

HOUSE as Bill No. 1063

Chief Clerk

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Speaker of the House

Attest:

Chief Clerk

President of the Senate

Attest:

Secretary of the Senate

House Bill No. 1063
File No. _____
Chapter No. _____

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Received at this Executive Office this ____ day of _____ ,

19__ at ____ M.

By _____
for the Governor

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The attached Act is hereby approved this _____ day of _____ , A.D., 19__

Governor

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STATE OF SOUTH DAKOTA,
ss.

Office of the Secretary of State

Filed _____ , 19__
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State