

State of South Dakota

SEVENTY-FIFTH SESSION
LEGISLATIVE ASSEMBLY, 2000

941D0492

CONFERENCE COMMITTEE ENGROSSED NO. **HB1122** - 2/25/00

Introduced by: Representatives McNenny, Hennies, Juhnke, Napoli, Pummel, and Sutton
(Duane) and Senators Albers and Kleven

1 FOR AN ACT ENTITLED, An Act to require a removal agency to notify certain persons after
2 removing certain motor vehicles.

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

4 Section 1. That chapter 32-30 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 If any removal agency as defined by § 32-36-2 removes any unattended motor vehicle from
7 a public street or highway and the removal is not at the written request of the owner, an
8 authorized agent of the owner, or a law enforcement officer, the removal agency shall report the
9 removal to the owner within twenty-four hours of removing the motor vehicle. However, if the
10 removal agency is unable to contact the owner, the removal agency shall report the removal to
11 the county sheriff, if the removal occurred outside any municipality, or to the chief of police, if
12 the removal occurred inside any municipality, within twenty-four hours of removing the motor
13 vehicle. Failure to make a report as provided by this section is a Class 2 misdemeanor.

14 Section 2. That chapter 32-30 be amended by adding thereto a NEW SECTION to read as
15 follows:

16 If a removal agency fails to make a report as required by section 1 of this Act, the removal

- 1 agency is not entitled to any towing or storage fees for the removed vehicle and no such towing
- 2 or storage fees may be billed or collected by the removal agency.

1 **BILL HISTORY**

2 1/18/00 First read in House and referred to Local Government. H.J. 116

3 1/27/00 Scheduled for Committee hearing on this date.

4 1/27/00 Deferred by Chair.

5 2/1/00 Scheduled for Committee hearing on this date.

6 2/1/00 Local Government Do Pass Amended, Passed, AYES 13, NAYS 0. H.J. 337

7 2/1/00 Local Government Place on Consent Calendar.

8 2/3/00 House of Representatives Do Pass Amended, Passed, AYES 66, NAYS 3. H.J. 390

9 2/4/00 First read in Senate and referred to Local Government. S.J. 323

10 2/9/00 Scheduled for Committee hearing on this date.

11 2/9/00 Local Government Do Pass Amended, Passed, AYES 7, NAYS 0. S.J. 401

12 2/9/00 Local Government Place on Consent Calendar.

13 2/14/00 Motion to Amend, Passed. S.J. 462

14 2/14/00 Senate Do Pass Amended, Passed, AYES 31, NAYS 1. S.J. 462

15 2/16/00 House of Representatives failed to concur, appoint Conference Committee. H.J. 692

16 2/17/00 House of Representatives Conference Committee Report.

17 2/25/00 House of Representatives Conference Committee Report.

18 2/25/00 Senate Conference committee report adopted Passed, AYES 31, NAYS 2.