

State of South Dakota

SEVENTY-FIFTH SESSION
LEGISLATIVE ASSEMBLY, 2000

664D0204

SENATE BILL NO. 60

Introduced by: Senators Albers, Madden, and Vitter and Representatives Hennies, Apa, and Engbrecht

1 FOR AN ACT ENTITLED, An Act to provide for the revocation of the driving privileges of
2 certain persons who are under the influence of illegal substances while driving or riding in
3 a motor vehicle.

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

5 Section 1. That § 32-12-52.3 be amended to read as follows:

6 32-12-52.3. Upon a first conviction or a first adjudication of delinquency for a violation,
7 while in a motor vehicle, of §§ 22-42-5 to 22-42-11, inclusive, 22-42-15, 22-42A-3 or 22-42A-4,
8 the court shall revoke the driver's license or driving privilege of the person so convicted for a
9 period of one hundred eighty days.

10 Upon a second or subsequent conviction or a second or subsequent adjudication of
11 delinquency for a violation, while in a motor vehicle, of §§ 22-42-5 to 22-42-11, inclusive, 22-
12 42-15, 22-42A-3 or 22-42A-4, the court shall revoke the driver's license or driving privilege of
13 the person so convicted for a period of one year or until the person's seventeenth birthday,
14 whichever is a longer period of time. For any offense under this section, the court may issue an
15 order permitting the person to operate a motor vehicle for purposes of the person's employment
16 or attendance at school. Notwithstanding the provisions of chapters 26-7A, 26-8A, 26-8B, and

1 26-8C, the Unified Judicial System shall notify the Department of Commerce and Regulation of
2 any conviction or adjudication of delinquency for a violation, while in a motor vehicle, of
3 §§ 22-42-5 to 22-42-11, inclusive, ~~22-42-15~~, 22-42A-3 or 22-42A-4. The period of revocation
4 shall begin on the date the person's revoked driver's license is received by the court or the
5 department. At the expiration of the revocation period, a person may make application as
6 provided by law and shall pay the license fee prescribed in § 32-12-47.1.