

State of South Dakota

SEVENTY-FIFTH SESSION
LEGISLATIVE ASSEMBLY, 2000

536D0410

SENATE JUDICIARY COMMITTEE

ENGROSSED NO. **SB86** - 2/8/00

This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsors.

Introduced by: Senators Madden, Albers, Flowers, Hainje, Lawler, Moore, Munson (David), Shoener, Symens, and Vitter and Representatives Konold, Brooks, Diedrich (Larry), Diedrich (Elmer), Duenwald, Eccarius, Fischer-Clemens, Garnos, Hanson, Hennies, Klautdt, Lintz, McCoy, Munson (Donald), Sutton (Duane), Volesky, Wetz, Wilson, and Young

1 FOR AN ACT ENTITLED, An Act to exempt certain traffic violations from the requirement
2 that a restricted minor's permit be suspended.

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

4 Section 1. That § 32-12-15 be amended to read as follows:

5 32-12-15. The issuance of an instruction permit or restricted minor's permit is on a
6 probationary basis. The Department of Commerce and Regulation on the receipt of a record of
7 conviction for a traffic violation classified as a felony or Class 1 misdemeanor, prior to the
8 minor's sixteenth birthday, shall suspend the minor's driving privileges until the minor's sixteenth
9 birthday or as otherwise required by law. Upon the receipt of a record of conviction prior to the
10 minor's sixteenth birthday of any other traffic violation, the department shall suspend an
11 instruction permit or restricted minor's permit for a period of thirty days for a first violation. No
12 permit may be suspended for a first violation of § 32-14-9.1, 32-21-27, 32-25-5, 32-26-6, 32-26-
13 25, 32-26-40, 32-30-20, or 34A-7-7, for a first violation of §§ 32-26-17 to 32-26-20, inclusive,
14 or for a first violation of § 32-25-1.1 or 32-25-7 that is ten miles per hour or less over the speed

1 limit. A second conviction for a traffic violation committed prior to the minor's sixteenth birthday
2 or a conviction for a violation of an instruction permit or restricted minor's permit committed
3 prior to the minor's sixteenth birthday shall result in revocation of the minor's driving privileges
4 until the minor's sixteenth birthday or for a period of ninety days, whichever period is longer, or
5 as otherwise required by law. If a minor has no instruction permit or restricted minor's permit
6 and is convicted of any traffic violation prior to the minor's sixteenth birthday, the department
7 shall suspend or revoke the minor's driving privilege or privilege to apply for a permit or license
8 as provided in this section. Any traffic violation which occurs prior to the issuance of an
9 instruction permit or restricted minor's permit or an operator's license shall be placed on the
10 driving record and given the same consideration as any violation which occurs following the
11 issuance of an instruction permit, restricted minor's permit, or an operator's license.

1 **BILL HISTORY**

2 1/18/00 First read in Senate and referred to Judiciary. S.J. 72

3 1/24/00 Scheduled for Committee hearing on this date.

4 1/24/00 Deferred to 36th legislative day, AYES 6, NAYS 1. S.J. 175

5 2/7/00 Judiciary Hog Housed.

6 2/7/00 Scheduled for Committee hearing on this date.

7 2/7/00 Judiciary Reconsidered.

8 2/7/00 Judiciary Do Pass Amended, Passed, AYES 6, NAYS 1. S.J. 341