



# State of South Dakota

SEVENTY-FIFTH SESSION  
LEGISLATIVE ASSEMBLY, 2000

400D0314

## HOUSE ENGROSSED NO. **HB1024** - 1/20/00

Introduced by: The Committee on Transportation at the request of the Department of Game,  
Fish, and Parks

1 FOR AN ACT ENTITLED, An Act to revise certain boating and snowmobile accident reporting  
2 procedures.

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

4 Section 1. That § 42-8-58 be amended to read as follows:

5 42-8-58. The operator of a boat on public waters shall, in the case of a collision or an  
6 accident resulting in damage to a boat or other property ~~in excess to an apparent extent~~ of five  
7 hundred dollars or more or resulting in death or injury to a person ~~requiring medical attention,~~  
8 immediately, by the quickest means of communication, give notice of the collision or accident  
9 to the nearest conservation officer or other peace law enforcement officer ~~and shall. The officer~~  
10 shall file with the Department of Game, Fish and Parks a full description of the collision or  
11 accident upon forms provided by the department and available from any state or county law  
12 enforcement agency. ~~If the collision or accident resulted in death or injury to a person requiring~~  
13 ~~medical attention, the operator shall file within forty-eight hours. If the collision or accident~~  
14 ~~resulted in damage to a boat or other property in excess of five hundred dollars but does not~~  
15 ~~result in death or injury, the operator shall file within ten days. If the operator is unable to file,~~  
16 ~~then someone acting for the operator may file.~~ Notice of the collision or accident is not required

1 of any person who is physically incapable of giving immediate notice during the period of such  
2 incapacity. If the operator of the boat is physically incapable of giving an immediate notice of a  
3 collision or accident and there was another occupant in the boat at the time of the collision or  
4 accident capable of doing so, such occupant shall make or cause to be given the notice not given  
5 by the operator. The secretary of game, fish and parks may investigate the circumstances of the  
6 accident. Any ~~person~~ operator or occupant who fails to file a ~~report~~ notice as required by this  
7 section is guilty of a Class 2 misdemeanor.

8 Section 2. That § 32-20A-19 be amended to read as follows:

9 32-20A-19. The operator of a snowmobile on public lands, frozen public waters, or private  
10 lands leased for public snowmobile use shall, in the case of a collision or an accident ~~with~~  
11 resulting in damage to a snowmobile or other property ~~in excess to an apparent extent~~ of five  
12 hundred dollars or more or resulting in death or injury to a person, immediately, by the quickest  
13 means of communication, give notice of the collision or accident to, ~~and file with, the~~  
14 ~~Department of Game, Fish and Parks~~ the nearest conservation officer or other law enforcement  
15 officer who shall file with the Department of Game, Fish and Parks a full description of the  
16 collision or accident upon forms provided by the department and available from any state,  
17 county, or local law enforcement agency. ~~If the collision or accident resulted in death or injury~~  
18 ~~to a person requiring medical attention, the operator shall file within forty-eight hours. If the~~  
19 ~~collision or accident resulted in damage to a snowmobile or other property in excess of five~~  
20 ~~hundred dollars, he shall file within ten days. If the operator is unable to file, then someone acting~~  
21 ~~for him may file.~~ If the operator of the snowmobile is physically incapable of giving an immediate  
22 notice of a collision or accident and there was another occupant in the snowmobile at the time  
23 of the collision or accident capable of doing so, such occupant shall make or cause to be given  
24 the notice not given by the operator. The secretary of game, fish and parks may investigate the  
25 circumstances of such accidents. Any ~~person who violates the provisions of~~ operator or occupant

1 who fails to file a notice as required by this section is guilty of a Class 2 misdemeanor.

2 Section 3. That § 32-20A-20 be amended to read as follows:

3 32-20A-20. ~~An accident report~~ Notice of the collision or accident is not required from any

4 person who is physically incapable of making such report during the period of such incapacity.

1 **BILL HISTORY**

2 1/11/00 First read in House and referred to Agriculture and Natural Resources. H.J. 16

3 1/18/00 Scheduled for Committee hearing on this date.

4 1/18/00 Agriculture and Natural Resources Do Pass, Passed, AYES 13, NAYS 0. H.J. 126

5 1/20/00 Motion to Amend, Passed. H.J. 168

6 1/20/00 House of Representatives Do Pass Amended, Passed, AYES 45, NAYS 17. H.J. 168

# State of South Dakota

SEVENTY-FIFTH SESSION  
LEGISLATIVE ASSEMBLY, 2000

910D0019

SENATE EDUCATION COMMITTEE

ENGROSSED NO. **SB71** - 1/26/00

Introduced by: Senators Brosz, Everist, Olson, and Reedy and Representatives Konold, Davis, Duniphan, Lockner, and Solum

1 FOR AN ACT ENTITLED, An Act to remove certain restrictions relating to the use of school  
2 buses.

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

4 Section 1. That § 13-29-1 be amended to read as follows:

5 13-29-1. The school board of any school district may acquire, own, operate, or hire buses  
6 for the transportation of students to and from its schools either from within or without the  
7 district or for transportation to and from athletic, musical, speech, and other interscholastic  
8 contests in which participation is authorized by the school board. ~~If the use of a school bus is~~  
9 ~~granted by the school board pursuant to subdivision 49-28-2(1) or (8), the school district is not~~  
10 ~~liable for suit or damages which may arise as the result of the use. The school board may~~  
11 ~~authorize the use of the buses owned by the board for transportation of adults pursuant to~~  
12 ~~subdivision 49-28-2(1) or (7). The provisions to transport adults, provided in this section, shall~~  
13 ~~not apply to school districts which contain a first class municipality. Use of a school bus for~~  
14 ~~transportation of persons enumerated in subdivision 49-28-2(7) is limited to providing shelter,~~  
15 ~~health care, nutrition, religious activities and other necessities of life.~~

16 Section 2. That chapter 13-29 be amended by adding thereto a NEW SECTION to read as

1 follows:

2 A school board may allow nonprofit civic organizations or other government entities to use  
3 vehicles owned by the school district to transport persons to various activities deemed by the  
4 school board to be in the public interest. A school board may adopt policies for the use of its  
5 vehicles by other organizations. If the use of a school bus is granted by a school board, the  
6 school district is not liable for suit or damages which may result from the operation of the bus  
7 by a nonprofit civic organization or other government entity.

1 **BILL HISTORY**

2 1/15/00 First read in Senate and referred to Education. S.J. 59

3 1/20/00 Scheduled for Committee hearing on this date.

4 1/25/00 Scheduled for Committee hearing on this date.

5 1/25/00 Education Do Pass Amended, Passed, AYES 6, NAYS 0. S.J. 182

# State of South Dakota

SEVENTY-FIFTH SESSION  
LEGISLATIVE ASSEMBLY, 2000

714D0462

SENATE JUDICIARY COMMITTEE  
ENGROSSED NO. **SB138** - 1/27/00

Introduced by: Senators Bogue, Dennert, and Drake and Representatives Wetz, Duenwald, and McNenny

1 FOR AN ACT ENTITLED, An Act to prohibit the use of motor vehicles for hunting, fishing,  
2 or trapping purposes on certain school and public lands.

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

4 Section 1. That chapter 41-9 be amended by adding thereto a NEW SECTION to read as  
5 follows:

6 No person may use a motor vehicle for purposes of hunting, fishing, or trapping on any land  
7 under the control of the commissioner of school and public lands on which public hunting,  
8 fishing, or trapping is authorized. No person may use a motor vehicle, for purposes of hunting,  
9 fishing, or trapping to enter onto or to cross any land under the control of the commissioner of  
10 school and public lands on which public hunting, fishing, or trapping is authorized. Any vehicle  
11 that is used to transport any person to any such lands for purposes of hunting, fishing, or  
12 trapping shall remain within a public right of way. Nothing in this Act authorizes or prohibits  
13 hunting, fishing, or trapping in any area where those activities are otherwise authorized or  
14 prohibited. The prohibitions contained in this section do not restrict the use of motor vehicles  
15 on roads, trails, or parking areas designated and signed by the Department of Game, Fish and  
16 Parks pursuant to a management agreement with the commissioner of school and public lands.

- 1 A violation of this section is a Class 2 misdemeanor.

1 **BILL HISTORY**

2 1/19/00 First read in Senate and referred to Judiciary. S.J. 118

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

4 1/26/00 Scheduled for Committee hearing on this date.

5 1/26/00 Judiciary Do Pass Amended, Passed, AYES 6, NAYS 1. S.J. 200