

State of South Dakota

SEVENTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2001

609E0137

SENATE BILL NO. 189

Introduced by: Senators Bogue, de Hueck, and Moore and Representatives Monroe,
Abdallah, Gillespie, McCaulley, and Michels

1 FOR AN ACT ENTITLED, An Act to provide for certain penalties for leaving a gasoline station
2 before making payment on motor fuel.

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

4 Section 1. That chapter 32-12 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 No person who has dispensed motor fuel into a motor vehicle may leave the premise of an
7 establishment which offers motor fuel for retail sale before making payment for such motor fuel.
8 A violation of this section is theft pursuant to § 22-30A-17. Upon a person's second conviction
9 of such theft, the court shall suspend the person's driver license or driving privilege for six
10 months. Upon a third or subsequent conviction of such theft, the court shall suspend the person's
11 driver license or driving privilege for one year. For any offense under this section, the court may
12 issue an order permitting the person to operate a motor vehicle for purposes of the person's
13 employment, attendance at school, or attendance at any court ordered counseling program. In
14 determining whether a driver license or driving privilege should be suspended under this section,
15 the court may not consider any offense under this section which is more than five years old.