

# State of South Dakota

SEVENTY-EIGHTH SESSION  
LEGISLATIVE ASSEMBLY, 2003

536I0412

## HOUSE BILL NO. 1174

Introduced by: Representatives Sebert, Bartling, Burg, Elliott, Engels, Fryslie, Juhnke, Lintz, Rhoden, Teupel, and Valandra and Senators Duenwald, Apa, Diedrich (Larry), Duxbury, Jaspers, Koetzle, Koskan, Moore, and Symens

1 FOR AN ACT ENTITLED, An Act to provide a weight tolerance for ice or snow buildup on  
2 vehicles.

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

4 Section 1. That chapter 32-22 be amended by adding thereto a NEW SECTION to read as  
5 follows:

6 No vehicle is subject to enforcement action for violations not exceeding the legal limits  
7 imposed pursuant to § 32-22-16 or 32-22-21 by more than five percent if the motor carrier  
8 inspector or law enforcement officer has reason to believe that such excessive weight may be  
9 caused by snow or ice. If enforcement action is taken pursuant to this section, the fine or penalty  
10 only applies to that portion of the load more than five percent above the legal limit. A violation  
11 of this section is a Class 2 misdemeanor.

