

State of South Dakota

SEVENTY-EIGHTH SESSION
LEGISLATIVE ASSEMBLY, 2003

239I0601

SENATE BILL NO. 119

Introduced by: Senators Moore and Duniphan and Representatives Smidt and Michels

1 FOR AN ACT ENTITLED, An Act to require that certain lienholders and insurance companies
2 pay the fees associated with the towing and storage of motor vehicles under certain
3 circumstances.

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

5 Section 1. That chapter 32-36 be amended by adding thereto a NEW SECTION to read as
6 follows:

7 If a lienholder repossesses a motor vehicle and the vehicle has been towed or stored by a
8 removal agency, the lienholder is liable to the removal agency for all unpaid amounts owed the
9 removal agency for the towing and storage costs associated with the motor vehicle regardless
10 of whether an amount accrued before the lienholder repossessed the vehicle.

11 Section 2. That chapter 32-36 be amended by adding thereto a NEW SECTION to read as
12 follows:

13 If an insurance company pays a claim of total loss on a motor vehicle and the vehicle has
14 been towed or stored by a removal agency, the insurance company is liable to the removal
15 agency for all unpaid amounts owed the removal agency for the towing and storage costs
16 associated with the motor vehicle regardless of whether an amount accrued before the insurance



1 company paid the claim.