

# State of South Dakota

SEVENTY-NINTH SESSION  
LEGISLATIVE ASSEMBLY, 2004

724J0349

## SENATE ENGROSSED NO. **HB 1117** - 02/13/2004

Introduced by: Representatives Hargens, Cutler, Hunhoff, Madsen, and Sebert and Senators Moore, Duniphan, and Olson (Ed)

1 FOR AN ACT ENTITLED, An Act to revise the requirements for operating a motor vehicle  
2 with an instruction permit.

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

4 Section 1. That § 32-12-11 be amended to read as follows:

5 32-12-11. Any person who is at least fourteen years of age but less than eighteen years of  
6 age applying for a South Dakota operator's license, restricted minor's permit, or instruction  
7 permit who does not currently hold an operator's license, motorcycle operator's license,  
8 restricted minor's permit, motorcycle restricted minor's permit, instruction permit, or motorcycle  
9 instruction permit that has been valid continuously for one hundred eighty days, shall apply to  
10 the Department of Public Safety for an instruction permit which shall be held for a minimum  
11 of one hundred eighty continuous days. The department may, after the applicant has successfully  
12 passed all parts of the examination other than the driving test and paid a fee which is equal in  
13 amount to the fee prescribed for a license in § 32-12-16, issue to the applicant an instruction  
14 permit. The instruction permit entitles the applicant, while having the permit in the applicant's  
15 immediate possession, to drive a motor vehicle upon the public highways for a period of one



1 year during the hours of 6 a.m. to 10 p.m. if accompanied by a person holding a valid operator's  
2 license who is at least eighteen years of age, has had at least one year of driving experience, and  
3 who is occupying a seat beside the applicant. The applicant is entitled to drive a motor vehicle  
4 upon the public highways during the hours of 10 p.m. to 6 a.m. if the motor vehicle is being  
5 operated under the direction of the applicant's parent or guardian who is occupying a seat beside  
6 the applicant. The holder of an instruction permit may apply for a restricted minor's permit or  
7 operator's license after holding a valid instruction permit for one hundred eighty continuous  
8 days.