

State of South Dakota

SEVENTY-NINTH SESSION
LEGISLATIVE ASSEMBLY, 2004

339J0307

HOUSE BILL NO. 1236

Introduced by: Representatives Sebert, Elliott, Frost, Fryslic, Garnos, Hackl, Haverly, Lange, Miles, Olson (Ryan), Rhoden, Sigdestad, Smidt, Solum, and Van Gerpen and Senators Duenwald, Apa, Diedrich (Larry), Duxbury, Greenfield, Jaspers, Koskan, Napoli, Schoenbeck, and Symens

1 FOR AN ACT ENTITLED, An Act to 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. The motor carrier inspector or law enforcement officer may require the
10 operator of the motor vehicle to remove any ice or snow that may be hazardous to highway
11 traffic. If enforcement action is taken pursuant to this section, the fine or penalty only applies
12 to that portion of the load more than five percent above the legal limit.

