

State of South Dakota

EIGHTIETH SESSION
LEGISLATIVE ASSEMBLY, 2005

454L0197

HOUSE BILL NO. 1135

Introduced by: Representatives Willadsen, Faehn, Fryslie, Glover, Haverly, Krebs, Peters, Sebert, Street, and Weems and Senators Sutton (Dan), Abdallah, and Gant

1 FOR AN ACT ENTITLED, An Act to prohibit the recovery of noneconomic loss for persons
2 not having proof of financial responsibility at the time of a motor vehicle accident.

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

4 Section 1. In any action against a secured person to recover damages because of accidental
5 bodily injury arising out of the ownership or operation of a motor vehicle in this state, no
6 secured person may be assessed damages for noneconomic loss for a bodily injury in favor of
7 a person who was operating a motor vehicle owned by that person at the time of injury without
8 valid proof of financial responsibility in order to respond to damages for liability arising out of
9 the ownership, maintenance, or use of that vehicle.

10 Section 2. For the purposes of this Act, the term, secured person, means the owner, operator,
11 or occupant of a motor vehicle, and any other person legally responsible for the acts or
12 omissions of the owner, operator, or occupant.

