

# State of South Dakota

EIGHTIETH SESSION  
LEGISLATIVE ASSEMBLY, 2005

844L0548

HOUSE JUDICIARY COMMITTEE ENGROSSED NO.

**HB 1174** - 02/02/2005

Introduced by: Representatives Olson (Ryan), Buckingham, Haverly, and McCoy and  
Senators Duenwald, Abdallah, Broderick, Duniphan, and McCracken

1 FOR AN ACT ENTITLED, An Act to prohibit the endangerment of any child by means of  
2 reckless driving or driving under the influence and to provide penalties therefor.

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

4 Section 1. That chapter 32-23 be amended by adding thereto a NEW SECTION to read as  
5 follows:

6 No person may operate any motor vehicle either while driving under the influence or while  
7 driving recklessly, if any child under the age of thirteen is in the driver's motor vehicle.

8 A violation of this section is a separate Class 2 misdemeanor.

9 Section 2. That chapter 32-20A be amended by adding thereto a NEW SECTION to read  
10 as follows:

11 No person may operate any snowmobile while driving under the influence or while driving  
12 recklessly, if any child under the age of thirteen is either on the driver's snowmobile or being  
13 pulled or towed by the driver's snowmobile.

14 A violation of this section is a separate Class 2 misdemeanor.

15 Section 3. That chapter 42-8 be amended by adding thereto a NEW SECTION to read as



1 follows:

2 No person may operate any boat or personal watercraft either while driving under the  
3 influence or while driving recklessly, if any child under the age of thirteen is either in or on the  
4 driver's boat or personal watercraft or being pulled or towed by the driver's boat or personal  
5 watercraft.

6 A violation of this section is a separate Class 2 misdemeanor.