

State of South Dakota

EIGHTY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 2007

400N0337

HOUSE JUDICIARY COMMITTEE ENGROSSED NO.

HB 1015 - 01/17/2007

Introduced by: The Committee on Judiciary at the request of the Bureau of Administration

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the required
2 identification of authorized emergency vehicles.

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

4 Section 1. That § 32-31-3 be amended to read as follows:

5 32-31-3. The exemptions granted in subdivisions 32-31-2(2) and (3) to an authorized
6 emergency vehicle apply only if the vehicle is making use of audible ~~and~~ or visual signals
7 meeting the requirements of law. However, the exemption granted in subdivision 32-31-2(1)
8 to an authorized emergency vehicle applies only if the vehicle is making use of visual signals
9 meeting the requirements of law.

10 Section 2. That § 32-31-4 be amended to read as follows:

11 32-31-4. The speed limit set out in §§ 32-25-1.1 to 32-25-17, inclusive, does not apply to
12 any authorized emergency vehicle responding to an emergency call if the driver sounds an
13 audible siren or air horn or both ~~and~~ or displays flashing, oscillating, or rotating beams of red
14 light or combinations of red, blue, or white light visible one hundred eighty degrees to the front
15 of the vehicle. The lights shall be capable of warning the public of the presence of an emergency



1 vehicle under normal atmospheric conditions. The speed limit set out in §§ 32-25-1.1 to 32-25-
2 17, inclusive, does not apply to authorized emergency vehicles operated by law enforcement
3 officers who are measuring the speed of other vehicles by use of the emergency vehicle
4 speedometer. Moreover, the driver of an ambulance who has been certified pursuant to § 34-11-
5 6 may operate the emergency vehicle in excess of the speed limit without audible signals while
6 operating outside the city limits of a municipality.

7 Section 3. That § 32-31-6 be amended to read as follows:

8 32-31-6. Upon the immediate approach of an authorized emergency vehicle making use of
9 audible ~~and~~ or visual signals meeting the requirements of this chapter, or of a police vehicle
10 properly and lawfully making use of an audible or visual signal only, the driver of every other
11 vehicle shall immediately drive to a position as near as possible and parallel to the right-hand
12 edge or curb of the highway, or in case of a one-way highway the nearest edge or curb, clear of
13 any intersection of highways, and shall stop and remain in such position unless otherwise
14 directed by a police or traffic officer until the authorized emergency vehicle shall have passed.
15 A violation of this section is a Class 2 misdemeanor.

16 Section 4. That § 32-26-15 be amended to read as follows:

17 32-26-15. The driver of a vehicle upon a highway shall yield the right-of-way to police and
18 fire department vehicles and ambulances if they are operated upon official business and the
19 drivers give an audible signal by bell, siren, or exhaust whistle or visual signal by flashing,
20 oscillating, or rotating beams of red light or combinations of red, blue, or white light visible one
21 hundred eighty degrees to the front of the vehicle. The provisions of this section do not relieve
22 the driver of a police, fire department vehicle, or ambulance from the duty to drive with due
23 regard for the safety of all persons using the highway nor does it protect the driver of any such
24 vehicle from the consequence of an arbitrary exercise of such right-of-way. A violation of this

1 section is a Class 2 misdemeanor.