

State of South Dakota

EIGHTY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 2008

455P0650

HOUSE BILL NO. 1197

Introduced by: Representatives Cutler, Ahlers, Glenski, Hills, Van Etten, Weems, and Willadsen and Senators Hansen (Tom), Abdallah, Hunhoff, Knudson, McCracken, Smidt (Orville), and Sutton

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the requirement of
2 passenger restraint in a passenger vehicle.

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

4 Section 1. That § 32-38-1 be amended to read as follows:

5 32-38-1. Except as provided in chapter 32-37 and § 32-38-3, every operator and ~~front seat~~
6 passenger of a passenger vehicle operated on a public highway in this state shall wear a properly
7 adjusted and fastened safety seat belt system, required to be installed in the passenger vehicle
8 when manufactured pursuant to Federal Motor Vehicle Safety Standard Number 208 (49 C.F.R.
9 571.208) in effect January 1, 1989, at all times when the vehicle is in forward motion. The
10 driver of the passenger vehicle shall secure or cause to be secured a properly adjusted and
11 fastened safety seat belt system on any passenger ~~in the front seat~~ who is at least five years of
12 age but younger than eighteen years of age. Any violation of this section is not a moving traffic
13 offense under the provisions of § 32-12-49.1.

