

State of South Dakota

EIGHTY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 2008

525P0361

HOUSE BILL NO. 1208

Introduced by: Representatives Olson (Betty), Brunner, DeVries, and Gosch and Senators
Maher, Gray, Hanson (Gary), McNenny, and Schmidt (Dennis)

1 FOR AN ACT ENTITLED, An Act to reimburse certain motorists involved in vehicle collisions
2 with wildlife.

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

4 Section 1. That chapter 41-1 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 If a motor vehicle is involved in a collision with any wild animal as defined in § 41-1-1, the
7 motor vehicle owner may receive not more than two hundred dollars, payable from the
8 Department of Game, Fish and Parks fund. The claimant shall apply and the department shall
9 pay the claim as provided in rules promulgated by the Game, Fish and Parks Commission
10 pursuant to chapter 1-26. The rules shall require that the claimant provide evidence
11 demonstrating that the collision was caused by a wild animal and a verified amount of the
12 damage or injury. However, no liability incurs and no claim may be paid if the collision was
13 caused intentionally or by negligence or recklessness of the motor vehicle operator.

