

State of South Dakota

SEVENTY-FIFTH SESSION
LEGISLATIVE ASSEMBLY, 2000

400D0367

SENATE BILL NO. 31

Introduced by: The Committee on Commerce at the request of the Department of Commerce
and Regulation

1 FOR AN ACT ENTITLED, An Act to require the use of safety belts by passenger vehicle
2 occupants under eighteen years of age.

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

4 Section 1. That § 32-37-1 be amended to read as follows:

5 32-37-1. Any operator of any passenger vehicle transporting a child under ~~five~~ eighteen years
6 of age on the streets and highways of this state shall properly secure the child in a child passenger
7 restraint system according to its manufacturer's instructions. The child passenger restraint system
8 shall meet Department of Transportation Motor Vehicle Safety Standard 213 as in effect
9 January 1, 1981. The requirements of this section are met if the child ~~is under five years of age~~
10 ~~and~~ is at least forty pounds in weight by ~~securing the child~~ ensuring that the child is properly
11 secured in a seat belt. An operator who violates this section commits a petty offense.

12 Section 2. That chapter 32-37 be amended by adding thereto a NEW SECTION to read as
13 follows:

14 Every operator of a passenger vehicle operated on a public highway in this state, who is at
15 least fourteen and under eighteen years of age, shall wear a properly adjusted and fastened safety
16 seat belt system at all times when the vehicle is in motion. A violation of this section is a petty

1 offense.

2 Section 3. That § 32-37-2 be amended to read as follows:

3 32-37-2. The provisions of ~~§ 32-37-1~~ this chapter do not apply:

4 ~~(1) If all seating positions equipped with seat belts are occupied; or~~

5 ~~(2) In in~~ passenger cars manufactured before 1966 that have not been equipped with seat

6 belts.