

State of South Dakota

SEVENTY-NINTH SESSION
LEGISLATIVE ASSEMBLY, 2004

445J0348

SENATE BILL NO. 83

Introduced by: Senators Duniphan, Moore, and Olson (Ed) and Representatives Hargens, Buckingham, Cutler, Gillespie, Hennies, Hunhoff, Madsen, Olson (Mel), Sebert, and Solum

1 FOR AN ACT ENTITLED, An Act to revise the time period when a holder of a restricted
2 minor's permit may operate a motor vehicle.

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

4 Section 1. That § 32-12-12 be amended to read as follows:

5 32-12-12. A restricted minor's permit may be issued, upon application and payment of the
6 proper fees as provided in § 32-12-16, to a minor at least fourteen years of age but less than
7 eighteen years of age who has successfully passed all applicable tests and completed the
8 requirements of an instruction permit as provided in §§ 32-12-11 or 32-12-11.1 and has not been
9 convicted of a traffic violation during the past six months. For any such minor who has
10 successfully completed a driver education course that has been approved by the Department of
11 Education or a driver education course that the secretary of the department of public safety has
12 determined has been approved by a state government agency in another state, the required
13 minimum time period for holding the instruction permit in order to qualify for the restricted
14 minor's permit is ninety continuous days. A restricted minor's permit entitles the holder, while
15 having the permit in immediate physical possession, to operate a motor vehicle during the hours



1 of 6 a.m. to ~~8~~ 10 p.m. standard time if the motor vehicle is being operated with the permission
2 of the holder's ~~parents~~ parent or guardian and during the hours of ~~8~~ 10 p.m. to 6 a.m. if the motor
3 vehicle is being operated under the direction of the holder's parent or guardian who is occupying
4 a seat beside the holder. The restrictions as to time of operation and operation under the
5 direction of a parent or guardian do not apply to the holder of a valid restricted minor's permit
6 operating a self-propelled agricultural machine which is not subject to registration under chapter
7 32-5.