

State of South Dakota

NINETY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 2017

808Y0351

HOUSE BILL NO. 1104

Introduced by: Representatives Haugaard, Heinemann, Johns, Reed, Stevens, and Tieszen
and Senators Langer, Maher, Netherton, Rusch, and Stalzer

1 FOR AN ACT ENTITLED, An Act to revise certain motor vehicle liability insurance
2 requirements.

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

4 Section 1. That § 32-35-70 be amended to read:

5 32-35-70. An owner's policy of liability insurance referred to in § 32-35-68 shall insure the
6 person named therein and any other person as insured, using any insured vehicle or vehicles
7 with the express or implied permission of the named insured, against loss from the liability
8 imposed by law for damages arising out of the ownership, maintenance, or use of the vehicle
9 or vehicles within the United States of America or the Dominion of Canada, subject to limits
10 exclusive of interests and costs, with respect to each insured vehicle, as follows: ~~twenty-five~~
11 fifty thousand dollars because of bodily injury to or death of one person in any one accident and,
12 subject to the limit for one person, ~~fifty~~ one hundred thousand dollars because of bodily injury
13 to or death of two or more persons in any one accident, and ~~twenty-five~~ fifty thousand dollars
14 because of injury to or destruction of property of others in any one accident. If the policy
15 complies with the filing and form requirements of Title 58 and has been approved by the



1 Division of Insurance, the driver and owner has complied with this chapter. The policy may
2 exclude liability coverage if the policyholder certifies in writing that the vehicle will not be
3 operated during the policy period. The policy may exclude or limit coverage pursuant to § 58-
4 11-9.3, or for a relative residing in the named insured's household. ~~Policies issued after January~~
5 ~~1, 1987, and owners who have purchased such policies are in compliance with this chapter. Date~~
6 ~~of compliance does not affect any pending litigation.~~