

# State of South Dakota

NINETY-FOURTH SESSION  
LEGISLATIVE ASSEMBLY, 2019

383B0624

## HOUSE BILL NO. 1164

Introduced by: Representatives Ring, Anderson, Bordeaux, Cwach, Deutsch, Duba, Glanzer, Healy, Johnson (David), Lesmeister, McCleerey, Peterson (Sue), Pischke, Pourier, Rasmussen, Saba, Schoenfish, Smith (Jamie), and Sullivan and Senators Rusch, Foster, Jensen (Phil), Nesiba, Schoenbeck, and Wismer

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the operation of  
2 vehicles upon the approach of authorized emergency vehicles.

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

4 Section 1. That § 32-31-6.1 be amended to read:

5 32-31-6.1. Upon approaching from any direction any stopped authorized emergency vehicle  
6 making use of red visual signals meeting the requirements of this title, the driver of every other  
7 vehicle shall come to a complete stop before reaching the stopped emergency vehicle and may,  
8 unless otherwise directed, proceed with caution only after ascertaining that it is safe to do so;  
9 ~~and upon.~~ Upon approaching from any direction any stopped vehicle making use of amber or  
10 yellow warning lights, the driver of every other vehicle shall:

11 (1) If driving on an interstate highway or other highway with two or more lanes traveling  
12 in the same direction as the vehicle, merge into the lane farthest from the vehicle and  
13 proceed with caution, unless otherwise directed; ~~or~~

14 (2) If driving on an interstate highway or other highway with two or more lanes traveling



1           in the same direction as the vehicle but the driver cannot merge as provided in  
2           subdivision (1) due to safety or traffic conditions, slow to a speed that is at least  
3           twenty miles per hour less than the posted speed limit and proceed with caution,  
4           unless otherwise directed; or

5       (3)   If driving on a two lane highway, slow to a speed that is at least twenty miles per  
6           hour less than the posted speed limit or five miles per hour when the speed limit is  
7           posted at twenty miles per hour or less and proceed with caution, unless otherwise  
8           directed.

9       A violation of this section is a Class 2 misdemeanor.