



2023 South Dakota Legislature

House Bill 1211

Introduced by: **Representative** Jamison

1 **An Act to provide a penalty schedule for failure to maintain financial responsibility**
 2 **on a motor vehicle.**

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

4 **Section 1. That § 32-35-113 be AMENDED:**

5 **32-35-113.** Every driver or owner of a motor vehicle shall at all times maintain in
 6 force one of the following forms of financial responsibility on the motor vehicle ~~by one of~~
 7 ~~the following methods:~~

- 8 (1) ~~Having in force on the motor vehicle an~~An owner's policy of liability insurance as
 9 provided in § 32-35-70;
- 10 (2) ~~Having in force a~~A bond as provided in § 32-35-83;
- 11 (3) ~~Having a~~A certificate of deposit of money or securities as provided in § 32-35-87,
 12 ~~but~~ in the amount of fifty thousand dollars; or
- 13 (4) ~~Having a~~A certificate of self-insurance, as provided in §§ 32-35-90 and 32-35-91,
 14 supplemented by an agreement by the self-insurer that, with respect to accidents
 15 occurring while the certificate is in force, ~~he~~the self-insurer will pay the same
 16 ~~amounts that an~~amount the self-insurer would have been obligated to pay under
 17 an owner's motor vehicle liability policy ~~if it had issued such a policy to said~~the
 18 self-insurer.

19 Failure to maintain financial responsibility is a Class 2 misdemeanor. A second
 20 violation of this section is a Class 1 misdemeanor. Any third or subsequent violation is a
 21 Class 6 felony.