



2022 South Dakota Legislature

Senate Bill 91

SENATE TRANSPORTATION ENGROSSED

Introduced by: **Senator Duvall**

1 **An Act to revise provisions regarding the use of certain lights by county highway**
 2 **department authorized vehicles.**

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

4 **Section 1. That § 32-17-42 be AMENDED:**

5 **32-17-42.** Any motor vehicle authorized by the Department of Transportation, a
 6 tow truck or wrecker as defined in § 32-17-10, or a vehicle operated by a member of an
 7 organized fire department or organized search and rescue unit or by a person who is an
 8 ambulance driver, attendant, or emergency medical technician affiliated with a licensed
 9 ambulance service may be equipped with blue lights. This provision does not relieve the
 10 driver of ~~such a~~ the vehicle from the duty to drive with due regard for the safety of all
 11 persons using the street nor does it protect the driver ~~of any such vehicle~~ from the
 12 consequence of a reckless disregard of the safety of others.

13 No person may use a blue light unless the person is authorized by this chapter and
 14 ~~is either operating a Department of Transportation vehicle or a county highway vehicle in~~
 15 ~~performance of their duties in maintaining the highway in performance of winter highway~~
 16 ~~maintenance duties,~~ or actually en route to the scene of a fire or other emergency
 17 requiring the person's services and the person has been authorized in writing to so use a
 18 blue light. ~~The authorization~~ Authorization for use of a blue light in accordance with this
 19 chapter may be given by the Department of Transportation, highway patrol, county
 20 highway superintendent, chief of ~~the~~ a fire department, coordinator of ~~the~~ a search and
 21 rescue unit, or operator or ambulance service director of ~~the~~ an ambulance service only
 22 to members of the department or service who are in good standing.

23 ~~The unauthorized~~ use of a blue light in violation of this section is a Class 2
 24 misdemeanor.