

State of South Dakota

NINETY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 2019

400B0334

SENATE BILL NO. 11

Introduced by: The Committee on Transportation at the request of the Department of Public Safety

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the granting of work
2 permits to minors who refuse to submit to chemical analyses.

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

4 Section 1. That § 32-23-11 be amended to read:

5 32-23-11. Any person subject to license revocation for failure to submit to the withdrawal
6 and chemical analysis ~~required in § 32-23-10, and wishing~~ pursuant to § 32-23-18 who wants
7 to contest the revocation, shall ~~demand~~ request a hearing, pursuant to chapter 1-26, within one
8 hundred twenty days of arrest. If the secretary of public safety finds that the law enforcement
9 officer complied with the law and the refusal was made by the person, the secretary shall revoke
10 that person's license to drive and any nonresident operating privileges for one year. The
11 secretary shall determine if the person is eligible to drive for the purpose of employment and
12 may promulgate rules, pursuant to chapter 1-26, for determining that eligibility.

13 The secretary of public safety may promulgate rules for restricted licenses as follows:

- 14 (1) Eligibility;
15 (2) Application;



- 1 (3) Determination;
- 2 (4) Limitations; and
- 3 (5) Grounds for revocation.