

State of South Dakota

EIGHTY-EIGHTH SESSION
LEGISLATIVE ASSEMBLY, 2013

400U0227

SENATE TRANSPORTATION ENGROSSED NO. **SB 41** - 01/23/2013

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 requirements for
2 school bus inspection and to authorize the Highway Patrol to approve school bus inspectors.

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

4 Section 1. That § 13-29-6 be amended to read as follows:

5 13-29-6. Each school bus used for the transportation of school children which is owned by
6 a school district, a nonpublic school or alternative education program or privately owned and
7 operated under a contract with a school board or nonpublic school or alternative instruction
8 program shall be inspected before the beginning of each school year by ~~a representative of an~~
9 inspector approved by the Division of Highway Patrol pursuant to section 2 of this Act to certify
10 that the vehicle complies with state law, and rules of the South Dakota Board of Education, the
11 Department of Public Safety, and the Division of Highway Patrol. However, if a school bus is
12 purchased from a licensed motor vehicle dealer during the school year, the dealer may inspect
13 and certify that the vehicle complies with such law and rules. The owner of any bus certified by
14 a dealer shall have the bus inspected by ~~the Division of Highway Patrol~~ an approved inspector



1 before the beginning of the next school year. The owner of the bus shall display a certificate
2 certifying that the school bus has successfully passed inspection issued by the Division of
3 Highway Patrol or the dealer in a form prescribed by the Division of Highway Patrol in the
4 vehicle above the windshield. Any school board, contractor, or person operating a school bus
5 that has not been certified commits a petty offense. This section does not apply to federally
6 regulated charter bus service operations.

7 Section 2. That chapter 13-29 be amended by adding thereto a NEW SECTION to read as
8 follows:

9 The Division of Highway patrol may promulgate rules pursuant to chapter 1-26, to establish
10 specific standards and requirements for approval of school bus inspectors. The Division of
11 Highway Patrol may approve inspectors subject to these rules. Any person that performs a
12 school bus inspection without being approved by the Division of Highway Patrol is guilty of a
13 Class 2 misdemeanor.