

# State of South Dakota

NINETY-SECOND SESSION  
LEGISLATIVE ASSEMBLY, 2017

400Y0070

## SENATE BILL NO. 42

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 persons requesting  
2 an abstract of their own driver operating record.

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

4 Section 1. That § 32-35-101 be amended to read:

5 32-35-101. The Department of Public Safety shall furnish to any person upon request a  
6 certified abstract of the operating record for the last three years of any person subject to the  
7 provisions of this chapter. This three-year limit does not apply to any person requesting his or  
8 her own abstract. The abstract shall include enumeration of any motor vehicle accidents in  
9 which the person has been involved and reference to any convictions of the person for a  
10 violation of the motor vehicle laws as reported to the department.

11 No accident may be entered on the driving record of a law enforcement officer, firefighter,  
12 or emergency medical technician if the accident occurred while the law enforcement officer,  
13 firefighter, or emergency medical technician was lawfully engaged in the performance of official  
14 duties and was driving an emergency vehicle. The accident shall be recorded separately. No  
15 accident may be entered on the driving record of an operator of emergency snow removal



1 equipment if the accident resulted from the operator's response to an emergency call of duty as  
2 an operator of emergency snow removal equipment and the operator was lawfully engaged in  
3 the performance of official duties in support of an emergency call of duty by a law enforcement  
4 officer, firefighter, or emergency medical technician and was driving official snow removal  
5 equipment. The accident shall be recorded separately.

6 The department shall collect five dollars for each abstract. The fee shall be credited to the  
7 state motor vehicle fund. Any governmental entity or subdivision is exempt from this fee.