



2020 South Dakota Legislature

House Bill 1101

Introduced by: **Representative** Kevin Jensen

1 **An Act to provide for the reinstatement of a driver license under certain conditions.**

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

3 **Section 1.** That § 32-35-121 be AMENDED:

4 **32-35-121. Suspension of license--Period of suspension--Transmission of**
5 **surrendered license.**

6 ~~The~~ Subject to § 32-35-121.1, the magistrate judge or circuit judge shall
7 additionally suspend the ~~driver's~~ driver license of any person convicted of a violation of
8 § 32-35-113 or 32-35-120 for a period of not less than thirty days and not to exceed one
9 year. Any ~~drivers~~ driver license surrendered to the court pursuant to this section shall be
10 transmitted by the clerk of court together with the required report of the conviction, to
11 the Department of Public Safety within ten days of the conviction.

12 **Section 2.** That a NEW SECTION be added:

13 **32-35-121.1. Reinstatement of license--Requirements--Exception.**

14 Notwithstanding §§ 32-35-121 and 32-35-122, the department shall reinstate the
15 driver license of a person convicted of a violation of § 32-35-113 or 32-35-120
16 immediately and without any restriction if the person:

17 (1) Provides proof of having established one of the forms of financial responsibility
18 specified in § 32-35-113; and

19 (2) Pays any costs, penalties, assessments, surcharges, and fines imposed by reason
20 of the violation.

21 This section does not apply if the citation for a violation of § 32-35-113 or 32-35-
22 120 was issued at the scene of or in connection with a motor vehicle accident.