

State of South Dakota

NINETY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 2019

561B0275

HOUSE BILL NO. 1042

Introduced by: Representatives Bartels, Finck, Jensen (Kevin), Reed, and York and Senators Schoenbeck and Wiik

1 FOR AN ACT ENTITLED, An Act to exempt law enforcement from the requirements to be
2 licensed as commercial drivers.

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

4 Section 1. That § 32-12A-9 be amended to read:

5 32-12A-9. The following are exempt from the provisions of this chapter:

6 (1) Operators involved in farm to market transportation movements, at least sixteen
7 years of age holding a valid operator's license, limited to those operators of a farm
8 vehicle:

9 (a) Controlled and operated by a farmer;

10 (b) Used to transport either agricultural products, farm machinery, or farm
11 supplies to or from a farm; and

12 (c) Not used in the operations of a common or contract motor carrier;

13 (2) Operators of emergency ~~fire-fighting~~ equipment necessary to the preservation of life
14 or property or the execution of emergency governmental functions performed under
15 emergency conditions that are not subject to normal traffic regulation, or



1 nonemergency conditions ~~when~~ if operated by members of a fire fighting or law
2 enforcement agency;

3 (3) Operators of commercial motor vehicles for military purposes including:

4 (a) Active duty military personnel;

5 (b) Members of the military reserves;

6 (c) Members of the national guard on active duty, including personnel on full-
7 time national guard duty, personnel on part-time national guard training and
8 national guard military technicians (civilians who are required to wear military
9 uniforms); and

10 (d) Active duty U.S. Coast Guard personnel;

11 (4) Operators of recreational vehicles;

12 (5) Operators of rental transporting equipment used as personal family use vehicles; and

13 (6) Operators of a covered farm vehicle as defined in 49 CFR 390.5 as of January 1,
14 2015.

15 United States reserve technicians are not exempt under the provisions of subdivision (3) of
16 this section.