

State of South Dakota

EIGHTY-EIGHTH SESSION
LEGISLATIVE ASSEMBLY, 2013

750U0361

SENATE BILL NO. 95

Introduced by: Senator Maher and Representative Olson (Betty)

1 FOR AN ACT ENTITLED, An Act to revise certain restrictions relating to road hunting.

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

3 Section 1. That § 41-9-1.5 be amended to read as follows:

4 41-9-1.5. In order to protect the public safety, it is the intent of the Legislature that hunting
5 from highways or other public rights-of-way be accomplished without the use of motorized
6 vehicles. Therefore, the following restrictions apply to ~~such hunting~~ any person engaged in
7 hunting from a highway or public right-of-way:

8 (1) No person hunting small game from any highway or other public right-of-way
9 pursuant to § 41-9-1.1 may discharge a firearm at any small game animal unless the
10 motor vehicle by which the person has been transported to the hunting location has,
11 to the maximum extent practical, been parked, with the doors closed, off the main
12 traveled portion of the highway or public right-of-way in a manner that does not
13 create an unreasonable risk of injury or damage to other persons or property using the
14 highway or public right-of-way;

15 (2) ~~If the person who discharges the firearm is more than fifty yards from the vehicle, the~~



1 ~~doors on the side of the vehicle nearest the roadway shall be closed, but the engine~~
2 ~~may be running; and~~

3 ~~(3) If the person who discharges the firearm is less than fifty yards from the vehicle, all~~
4 ~~of the vehicle doors shall be closed and the engine shall be turned off No such person~~
5 ~~may load or discharge a firearm to be used for such hunting unless the person is more~~
6 ~~than one hundred yards from the motor vehicle.~~

7 A violation of this section is a Class 2 misdemeanor.