

State of South Dakota

NINETY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 2019

705B0040

HOUSE BILL NO. 1054

Introduced by: Representatives Duvall, Barthel, Brunner, Chase, Hammock, Jensen (Kevin), McCleerey, and Rounds and Senators Stalzer, Blare, Cammack, Heinert, Jensen (Phil), Maher, Monroe, Nelson, Otten (Ernie), Rusch, Russell, Steinhauer, Sutton, and Youngberg

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the possession of
2 firearms on certain vehicles.

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

4 Section 1. That § 32-20A-11 be amended to read:

5 32-20A-11. Except as provided in § 32-20A-12, no person other than a law enforcement
6 officer, conservation officer, or any person on the person's own land or land leased by the
7 person, may operate or ride in any snowmobile with any firearm in the person's possession
8 unless the firearm is completely unloaded and within a carrying case which encloses the entire
9 firearm. However, the restrictions in this section do not apply to any person who is carrying a
10 pistol and possesses a permit to carry a concealed pistol issued pursuant to chapter 23-7. A
11 violation of this section is a Class 2 misdemeanor. The restrictions in this section do not apply
12 to a utility-terrain vehicle (UTV) or any vehicle that is designed for four or more low-pressure
13 tires or rubberized tracks, and has a seat a person sits upon, and has a steering wheel.

14 Section 2. That § 32-20-6.6 be amended to read:



1 32-20-6.6. No person, other than a law enforcement officer or conservation officer, or any
2 person on the person's own land or land leased by the person, may operate or ride on any
3 motorcycle or off-road vehicle with any firearm in the person's possession unless the firearm is
4 completely unloaded and within a carrying case which encloses the entire firearm. However, this
5 section does not apply to any person who is carrying a pistol and possesses a permit to carry a
6 concealed pistol issued pursuant to chapter 23-7. This section does not apply to any person who
7 holds a permit issued pursuant to § 41-8-37 while engaged in hunting from an off-road vehicle
8 in accordance with the provisions of the permit. This section shall be enforced by all law
9 enforcement officers including conservation officers. A violation of this section is a Class 2
10 misdemeanor. The restrictions in this section do not apply to a utility terrain vehicle (UTV) or
11 any vehicle that is designed for four or more low-pressure tires or rubberized tracks, and has a
12 seat a person sits upon, and has a steering wheel.