FY24 FINE AND BOND SCHEDULE FOR USE BY CLERK MAGISTRATES

Effective July 1, 2023

IN CIRCUIT COURT

JUDICIAL CIRCUIT

STATE OF SOUTH DAKOTA

ORDER promulgating a schedule of fines and bonds and a fine and bond addendum for Class 2 misdemeanors and authorizing clerk magistrates to fix bonds in other offenses in the counties of this judicial circuit.

SCHEDULE I - BOND SCHEDULE

In accordance with § 16-2-21(8)

Comes now the presiding judge of the Sixth Judicial Circuit and makes the following Order, superseding all previous such orders, and authorizing clerk magistrates to allow personal recognizance or set bond for persons charged with offenses as follows:

FELONIES

- 1. Those accused of murder, first degree manslaughter, or kidnapping are to be brought before a circuit judge or magistrate judge for the first appearance.
- 2. Second degree manslaughter \$1,000 to \$10,000
- 3. Grand theft \$1,000 to \$10,000
- 4. Burglary \$1,000 to \$10,000
- 5. Bad checks \$1,000 to \$5,000
- 6. DUI (third & subsequent offenses) \$1,000 to \$5,000
- 7. Robbery \$1,000 to \$25,000
- 8. Sexual contact \$1,000 to \$10,000
- 9. Rape \$1,000 to \$25,000
- 10. Forgery \$1,000 to \$5,000
- 11. All other felonies \$1,000 to \$10,000

CLASS 1 MISDEMEANORS AND ORDINANCES

Guidelines to go by for your local usage.

- 1. DUI (first and second offense) \$225 to \$1,000
- 2. Reckless driving \$150 to \$208
- 3. Bad checks \$120 to \$580
- 4. Domestic Abuse Bond or other conditions of release shall be determined by a magistrate judge or circuit court as required by § 25-10-40 and § 25-10-41.

SDCL 25-10-40: Restrictions on release of person charged with domestic abuse. No police officer or sheriff may release a person charged with assaulting a person in a relationship described in § 25-10-3.1, or violating a protection order, as provided for in this chapter, without providing notice to a committing magistrate judge or circuit court. A committing magistrate judge or circuit court shall determine if bond or other conditions of release are necessary for the protection of the alleged victim.

5. All other Class 1 misdemeanors - \$95 to \$1,000

MUNICIPAL ORDINANCES

All municipal offenses and misdemeanor possession of marijuana charges (for two ounces or less_- P.R. Bond

Schedule II sets forth the bond and "mail-in" schedules for use where applicable. If the offense is a Class 2 misdemeanor under State law and is not listed on Schedule II, the defendant must appear before a magistrate or a circuit judge.

SCHEDULE II - FINE, BOND AND MAIL-IN AMOUNTS

In further compliance with § 16-2-21 (8), the following are commonly cited violations for which clerk magistrates are directed to charge the total amount indicated. The total amount includes the fine plus:

| Criminal Court Costs for Circuit Courts | Liquidated Costs § 23-3-52 | Court Automation Surcharge § 16-2-41 | Victim's Compensation Surcharge § 23A-28B-42 | Total Court Costs |
|--|----------------------------------|--------------------------------------|---|----------------------|
| Class 2 misdemeanors (violation of state law) | \$50.00 | \$23.50 | \$5.00 | \$78.50 |
| Class 2 misdemeanors (parking violations of state law) | \$50.00 | \$23.50 | \$0.00 | \$73.50 |
| All violations of county/municipal ordinances | \$50.00 | \$17.50 | \$5.00 | \$72.50 |
| All violations of administrative rules with criminal penalties | \$50.00 | \$17.50 | \$5.00 | \$72.50 |
| All Violations of county/municipal parking ordinances | \$50.00 | \$17.50 | \$0.00 | \$67.50 |
| Petty offenses | \$0.00 | \$0.00 | \$0.00 | \$0.00 |

The judgment amount for all petty offenses is \$25 (SDCL 23-1A-22). No costs are assessed.

If a defendant is sentenced to pay a fine, costs, or restitution, the clerk magistrate, after consulting with a magistrate judge or circuit judge, may require 1) execution of a wage assignment, 2) a schedule of time payments, or 3) performance of community service work to discharge the debt in accordance with SDCL 23A-27-25.1.

A defendant may choose to serve time in jail to pay the fine, costs for any criminal offense at a rate of \$60 per day for time served pursuant to SDCL 23A-27-25.5. However, this decision or any decision that requires the defendant to serve jail time as a sentence must be rendered, after appropriate hearing, by a magistrate judge or circuit judge. While a clerk magistrate may require the defendant to remain in custody if the defendant is unable to meet the conditions of release, the clerk magistrate may not sentence a defendant to serve time in jail.

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| STATUTE | OFFENSE | FINE | TOTAL | CODE | |
|---------------------------|---|------------------|-------------------------|------------------|--|
| ALCOHOL AND DRUG OFFENSES | | | | | |
| 22-42-24 | Driver use of marijuana in motor vehicle | \$204 | \$282.50 | SMOV | |
| 22-42-25 | Passenger use of marijuana in motor vehicle | \$100 | \$178.50 | SMPV | |
| 22-42A-3 | Possession of drug paraphernalia (in a vehicle) | \$204 Court A | \$282.50 ppearance l | DGPH Required | |
| 32-12A-44 | Commercial driving under the influence | \$254 | \$332.50 | DWCV | |
| 34-46-2 & 5 | Unlawful purchase, distribute, possess, sell tobacco product | \$29 | \$107.50 | Various | |
| 35-1-5.3 | Drinking/mixing alcoholic beverage in a public place | \$54 | \$132.50 | BTTL | |
| 35-1-9.1 | Open alcoholic beverage container in motor vehicle | \$54 | \$132.50 | OPEN | |
| 38-35-16 | Transport Industrial Hemp without license (Class 2) (Emergency Provision) | \$100 | \$178.50 | TIHL | |
| | CONDUCT AND PROPERTY OFFENS | <u>ES</u> | | | |
| 13-32-6 | Disturbance of school | \$54 | \$132.50 | DSCH | |
| 22-18-35 | Disorderly conduct | \$54 | \$132.50 | DSCO | |
| 22-35-6 | Trespass-Entering or refusing to leave property after notice | \$54 | \$132.50 | OCCP | |
| | DRIVER LICENSE OFFENSES | | | | |
| 32-12-22 | No valid driver's license | \$54 | \$132.50 | NDLC | |
| 32-12-65(2) | Driving while license suspended | \$204 | \$282.50 | DRRV | |
| 32-12-65(3) | Driving while license canceled | \$104 | \$182.50 | CANL | |
| 32-12-72 | Allow unauthorized person to use motor vehicle | \$54 | \$132.50 | AUPV | |
| 32-12-74 | Violation of license restriction | \$54 | \$132.50 | UVRL | |
| 32-12A-6 | No commercial driver's license | \$104 | \$182.50 | CMDI | |
| 32-12A-8.2 | Driving for out of service motor carrier operation | \$104 | \$182.50 | DMCO | |
| | EMERGENCY VEHICLE OFFENSES | | | | |
| 32-33-18 | | \$204 | \$282.50 | STSG | |

| STATUTE | offense | | FINE | TOTAL | CODE | | |
|-------------------------|---|---|----------------------------|-----------------------|-----------------------------------|--|--|
| 32-31-6 | Failure to pull to edge of curb on p of emergency vehicle | roper audible signal | \$54 | \$132.50 | MRGC | | |
| 32-31-7 | Following fire apparatus | | \$29 | \$107.50 | ALRM | | |
| 32-31-8 | Driving over fire hose | Driving over fire hose | | \$107.50 | HOSE | | |
| | LIVESTOCK TRANSPORTATION OFFENSES | | | | | | |
| 40-20-18 | Failure to exhibit transportation permit upon demand | <u>Head</u> 1-5 head 6 and over | \$54 \$10/hd (Fine n | | EHPR \$578.50 ETPD d \$500) | | |
| | MOTOR CARRIER OFFENSES | | | | | | |
| 10-47B-187(1 | 15) Failure to display fuel permit | | \$104 | \$182.50 | FUEL | | |
| 32-9 | Compensation and ton mileage violations See specifically 32-9-6, -7, -14, -23.3, and -23.5. | | \$104 | \$182.50 | Various | | |
| 32-9-3.1 (32-5-49.1) | Operating nonresident harvest vehicle compensation certificate | perating nonresident harvest vehicle without ompensation certificate | | \$182.50 | HVRT | | |
| 32-22 | | eneral weight, size and load restriction For penalties now provided by law for such offenses- ee last page of schedule. | | \$182.50 | Various | | |
| 32-22-48 | Crossing bridge with overweight ve | hicle | \$104 | \$182.50 | BDGP | | |
| 32-22-52 | Overweight vehicles | | \$104 | \$182.50 | MXWP | | |
| 32-22-57 | Lift axel control | | | 682.50 ludes \$500 | LFAX civil penalty) | | |
| (32-22-57.1) | Failure to equip with pressure contr | ol device | \$104 | \$182.50 | PRSS | | |
| 32-33-17 | Failure to stop at state weighing station | | \$104 | \$182.50 | WGST | | |
| 49-28-63 | Failure To Comply | | \$104 | \$182.50 | NCOM | | |
| 49-28-66 | Refusal to stop and submit to inspec | etion | \$104 | \$182.50 | FLSP | | |
| 49 - 28A-3 | Logbook and safety-related equipme Refer to CFR 49B, chapter IIIB, po | | \$104 | \$182.50 | LOGG | | |

| STATUTE | OFFENSE | FINE | TOTAL | CODE | | |
|---------------------|--|------|----------|------|--|--|
| MOTORCYCLE OFFENSES | | | | | | |
| 32-14-9.1 | Operation of vehicle (snowmobiles, motorcycles & ATVs) on private land without permission of landowner | \$54 | \$132.50 | OVPL | | |
| 32-18-1 | Brakes required | \$54 | \$132.50 | BRAK | | |
| 32-20-2 | Operating without driver's license | \$54 | \$132.50 | MCLI | | |
| 32-20-4 | Helmet required-under 18 years of age | \$54 | \$132.50 | HLMT | | |
| 32-20-6.1 | Passenger seat | \$54 | \$132.50 | CYCL | | |
| 32-20-6.2 | Position of motorcyclist | \$54 | \$132.50 | CYPT | | |
| 32-20-6.3 | Carrying package which prohibits driver from keeping both hands on handlebars | \$54 | \$132.50 | CYCA | | |
| 32-20-6.4 | Rider interfering with control or view of operator | \$54 | \$132.50 | CYCB | | |
| 32-20-6.5 | Attachment of driver or cycle to another vehicle | \$54 | \$132.50 | CYCC | | |
| 32-20-9.2 | Cyclist overtaking and passing motor vehicle in same lane | \$54 | \$132.50 | MCPS | | |
| 32-20-9.3 | Operating cycle between adjacent lanes of traffic | \$54 | \$132.50 | CYLN | | |
| 32-20-9.5 | Operating cycle more than two abreast in single traffic lane | \$54 | \$132.50 | CYOP | | |
| | Snowmobile Offenses | | | • | | |
| 32-14-9.1 | Operation of vehicle (snowmobiles, motorcycles & ATVs) on private land without permission of landowner | \$54 | \$132.50 | OVPL | | |
| 32-20A-2 | Operating recklessly or at excessive speed | \$54 | \$132.50 | RKSM | | |
| 32-20A-2 | Operating without required muffler | \$54 | \$132.50 | OPMF | | |
| 32-20A-3 | Operator age restrictions | \$54 | \$132.50 | SNAG | | |
| 32-20A-5 | Improper use on controlled access highway | \$54 | \$132.50 | SNCA | | |
| 32-20A-5 | Operation on railroad right-of-way | \$54 | \$132.50 | OPRR | | |
| 32-20A-7 | Improper operation on or across a roadway | \$54 | \$132.50 | SMRD | | |
| 32-20A-10 | Operating without lights when dark | \$54 | \$132.50 | SNLT | | |
| 32-20A-15 | No snowmobile license | \$54 | \$132.50 | SNLC | | |

| STATUTE | OFFENSE | FINE | TOTAL | CODE |
|------------------|--|------|----------|---------|
| 32-20A-19 | Failure to report snowmobile accident | \$54 | \$132.50 | SNAC |
| 41-19 - 4 | Use of Trails and Areas Restricted to Licensed Snowmobiles | \$54 | \$132.50 | SNTR |
| | VEHICLE EQUIPMENT OFFENSES | | | |
| 22.17.2.1 | | | | |
| 32-15-2.4 | One-way windows or certain adhesive film on windshield/ side wing vents (35% level) | \$54 | \$132.50 | FILM |
| 32-15-2.5 | One-way windows or certain adhesive film on rear window (20% level) | \$54 | \$132.50 | FLMB |
| 32-15-2.9 | Sunscreening devices on windshield prohibited | \$54 | \$132.50 | SCRN |
| 32-15-11 | Sirens and whistles prohibited | \$54 | \$132.50 | SIRD |
| 32-15-17 | Illegal exhaust | \$54 | \$132.50 | MFCP |
| 32-15-18 | Dropping, sifting or leaking load | \$54 | \$132.50 | LOAD |
| 32-17-4 | Operating vehicle without headlights | \$54 | \$132.50 | LMLT |
| 32-17-5&6 | Improper construction/adjustment of headlights | \$54 | \$132.50 | Various |
| 32-17-7 | Failure to dim headlights | \$54 | \$132.50 | HDDM |
| 32-17-9 | Red lights on front of vehicle prohibited | \$54 | \$132.50 | RDLP |
| 32-17-10 | Improper use of red/amber rotary light by tow truck | \$54 | \$132.50 | REDP |
| 32-17-16 | Clearance and identification lamps required by vehicles transporting passengers for compensation | \$54 | \$132.50 | LIGH |
| 32-17-19 | Improper aiming and adjustment of spot lamps | \$54 | \$132.50 | SPOT |
| 32-17-20 | Improper adjustment of any lamps other than headlamps or spot lamps | \$54 | \$132.50 | LAMP |
| 32-17-27 | Lights on parked vehicles | \$54 | \$132.50 | LTPK |
| 32-17-28 | Emergency flares, lights, triangles required | \$54 | \$132.50 | PFLR |
| 32-17-29 | Emergency flares/lights/triangles-when to be used | \$54 | \$132.50 | FLAR |
| 32-17-42 | Invalid installation or use of blue light by fireperson | \$54 | \$132.50 | BLUP |
| 32-18-1 | Brakes required | \$54 | \$132.50 | BRAK |

| STATUTE | OFFENSE | FINE | TOTAL | CODE | | |
|--------------------------|--|---------|----------|------|--|--|
| 32-19-3 | Studded tires in use from May 1 to September 30 | \$54 | \$132.50 | STUD | | |
| 32-19-7 | Permitted connection between towing and towed vehicle – Maximum length | \$54 | \$132.50 | TFLG | | |
| 32-19-9 | No safety chains | \$54 | \$132.50 | TOWT | | |
| 32-19-10 | Safety chain slack and coupling | \$54 | \$132.50 | SCHN | | |
| 32-19-12 | Operation with unsafe wheel as misdemeanor | \$54 | \$132.50 | UNWH | | |
| 32-19-13 | Operation with cut or worn tire as misdemeanor | \$54 | \$132.50 | WRTR | | |
| | VEHICLE PARKING OFFENSES | | | | | |
| 32-30-1 | Parking on highway | \$31.50 | \$105 | RPRK | | |
| 32-30-2 | Standing or parking, obstructing clear view | \$31.50 | \$105 | VHVW | | |
| 32-30-2.1 | Position for parking on two-way road | \$31.50 | \$105 | IMPK | | |
| 32-30-2.2 | Position for parking on one-way road | \$31.50 | \$105 | PKOW | | |
| | VEHICLE REGISTRATION OFFENS | ES | | | | |
| 32-3-12 | Operation of vehicle without certificate | \$54 | \$132.50 | TTLE | | |
| 32-5-2 | Failure to register vehicle/Give proper information | \$54 | \$132.50 | FILC | | |
| 32-5-2.4 | Expired validation sticker | \$54 | \$132.50 | RNRG | | |
| 32-5-6.3 | Overweight on non-commercial license | \$54 | \$132.50 | NNCM | | |
| 32-5-27 | Registration of out-of-state vehicles | \$54 | \$132.50 | OSTG | | |
| 32-5-98 | Operation of vehicle without license plates or license plates conspicuously displayed | \$54 | \$132.50 | XLCP | | |
| 32-10-34 | No proper vehicle registration | \$54 | \$132.50 | RQIR | | |
| VEHICLE TRAFFIC OFFENSES | | | | | | |
| 31-4-14.3 | Failure to comply with weather restriction/highway closure | \$154 | \$232.50 | CLHI | | |
| 31-8-15 | Unlawful use of controlled access facilities | \$54 | \$132.50 | HFAC | | |
| 32-5-8.2 Effective Jul | Trailers or semitrailers with identification plates may only be pulled by certain motor vehicles | \$54 | \$132.50 | IDPT | | |

| STATUTE | OFFENSE | FINE | TOTAL | CODE |
|--|--|------------|-----------|------|
| | | | 101112 | |
| 32-5-178 | Misuse of Emblem Specialty Plates | \$54 | \$132.50 | MESP |
| 32-6B-25 | Use of vehicles bearing dealer's demonstration or in-transit permitsTime limitationIssuance of permits for unauthorize purposes prohibited | \$104 d | \$182.50 | DDEP |
| 32-14-9.1 | Operation of vehicle (snowmobiles, motorcycles & ATVs) on private land without permission of landowner | \$54 | \$132.50 | OVPL |
| 32-18-13 | Parking Brakes Required | \$54 | \$132.50 | PKBK |
| 32-20-9.1 | Deprive motorcycle of full use of lane | \$54 | \$132.50 | LNMC |
| 32-21-27 | Improperly equipped vehicles on highway | \$54 | \$132.50 | IMVH |
| 32-21-30 | Failure to comply with directions of officer | \$54 | \$132.50 | FLCM |
| 32-22-52 | Truck overweight violation | \$104 | \$182.50* | MXWP |
| * Note: A magistrate court with a clerk magistrate presiding has concurrent jurisdiction to accept an overweight truck civil penalty imposed pursuant to SDCL 32-22-55 only if the civil penalty is paid in full as part of a guilty plea. If the driver cannot pay the penalty in full as part of the guilty plea the clerk must contact the magistrate | | | | |

plea. If the driver cannot pay the penalty in full as part of the guilty plea, the clerk must contact the magistrate or circuit court judge to set the bond.

| 32-24-8 | Careless driving | | \$54 | \$132.50 | SCDR |
|-----------|--|----------------------|---------------------|-------------------------|------|
| 32-24-9 | Exhibition driving | | \$54 | \$132.50 | EXHD |
| 32-25-3 | Overdriving road conditions | | \$54 | \$132.50 | OVRD |
| 32-25-5 | Failure to observe minimum speed on in | terstate highway | \$54 | \$132.50 | MINS |
| 32-25-1.1 | Speeding on a state highway other than interstate highway | MPH Over Limit 1 - 5 | <u>Fine</u> \$19 | <u>Total</u> \$97.50 | SPDS |
| 32-25-4 | Speeding on interstate highway | 6 – 10 | \$39 | \$117.50 | SPDI |
| | | 11 – 15 | \$59 | \$137.50 | |
| 32-25-7 | Speeding on other roadways (includes municipal streets and county roads) | 16-20 | \$79 | \$157.50 | SPDO |
| | municipal streets and county loads) | 21 - 25 | \$99 | \$177.50 | |
| | | 26 and up | \$154 | \$232.50 | |
| 32-25-7.1 | Speeding on divided four-lane rural highways | | | | SPD4 |

Effective July 1, 2023

| STATUTE | OFFENSE | | FINE | TOTAL | CODE |
|----------------------|--|----------------|--------------|----------------------|--------------|
| 32-25-19.1 | Speeding in a construction zone: | MPH Over Limit | Fine | Total | SPCO |
| | | 1-5 $6-10$ | \$38 \$78 | \$116.5 \$156.5 | |
| | | 11 – 15 | \$118 | \$196.5 | 0 |
| | | 16 – 20 | \$158 | \$236.5 | 0 |
| | | 21 – 25 | \$198 | \$276.5 | 0 |
| | | 26 and over | \$308 | \$386.50 |) |
| 32-25-14 S | Speeding in a school zone: | MPH Over Limit | <u>Fine</u> | Total | SCHL |
| (court appe | earance at discretion | 1 - 5 | \$34 | \$112.50 | |
| of officer) | | 6 – 10 | \$74 | \$152.50 | |
| | | 11 – 15 | \$114 | \$192.50 | |
| | | 16 - 20 | \$154 | \$232.50 | |
| | | 21 – 25 | \$194 | \$272.50 | |
| | | 26 and over | \$304 | \$382.50 | |
| 32-25-23 | Drag racing | | \$204 | \$282.50 | RACE |
| 32-26-1 | Driving on wrong side of road | | \$54 | \$132.50 | WRNS |
| 32-26-3 32-26-4 | Failure to yield one-half of roadway Mountain highways-curves-keep to right | | \$54 \$54 | \$132.50 \$132.50 | YLDF CURV |
| 32-26-6 | Illegal lane changing | | \$54 | \$132.50 | LNCH |
| 32-26-9 | Illegal barrier or median crossing | | \$54 | \$132.50 | MEDN |
| 32-26-10 | Illegal entry to, or exit from, controlled-a | ccess highways | \$54 | \$132.50 | ACSS |
| 32-26-13 to | o 16 Violation of right of way | | \$54 | \$132.50 | Various |
| 32 - 26-17 to | 20 Illegal turning | | \$54 | \$132.50 | Various |
| 32-26-21.1 | Driving on sidewalk | | \$54 | \$132.50 | DRWK |
| 32-26-22.1 | Failure or improper use of signals | | \$54 | \$132.50 | SLGL |

| STATUTE | OFFENSE | FINE | TOTAL | CODE |
|------------|---|----------|----------|---------|
| 32-26-23 | Improper arm, mechanical or electrical signals | \$54 | \$132.50 | SIGL |
| 32-26-25 | Illegal U-turn | \$54 | \$132.50 | UTRN |
| 32-26-26 | Illegal following, overtaking and passing | \$54 | \$132.50 | OVTV |
| 32-26-26.1 | Failure to give 3-6 feet of separation passing a bicyclist | \$54 | \$132.50 | OBMS |
| 32-26-34 | Passing by crossing highway center line when vision is obscur | red \$54 | \$132.50 | PSVS |
| 32-26-36 | Passing in an intersection | \$54 | \$132.50 | DLFT |
| 32-26-37 | Passing in no passing zone | \$54 | \$132.50 | NOPS |
| 32-26-40 | Following too closely | \$54 | \$132.50 | FOLW |
| 32-26-43 | Maximum number of passengers in front | \$54 | \$132.50 | PSGR |
| 32-26-47.1 | Use of Mobile Electronic Device | \$100 | \$178.50 | EDWD |
| 32-26-47.2 | Accessing, reading or posting to social networking site while operating motor vehicle | \$100 | \$178.50 | SNWD |
| 32-27-7 | Failure to yield to pedestrian with white cane or guide dog | \$54 | \$132.50 | STCN |
| 32-28-6 | Failure to comply with flashing yellow or red signal | \$54 | \$132.50 | RDLT |
| 32-28-7 | Failure to Stop for Flashing Red Signal | \$54 | \$132.50 | SNGL |
| 32-28-10 | Failure to obey traffic control device (red light) | \$54 | \$132.50 | DRPL |
| 32-29 | Traffic sign or signal violation | \$54 | \$132.50 | Various |
| 32-29-2.1 | Failure to stop at stop sign | \$54 | \$132.50 | STOP |
| 32-29-3 | Failure to yield at yield sign | \$54 | \$132.50 | YILD |
| 32-29-4 | Failure to stop for railway crossing signal or sign | \$54 | \$132.50 | RRST |
| 32-29-5 | Failure to observe railroad crossing stop | \$54 | \$132.50 | RRCR |
| 32-30-11.4 | Parking in a handicap zone – UPHD | \$100 | \$173.50 | UPHD |
| 32-30-20 | Unsafe backing | \$54 | \$132.50 | BACK |
| 32-30-21 | Backing on controlled access highway | \$54 | \$132.50 | SHDR |

| STATUTE | OFFENSE | FINE | TOTAL | CODE |
|------------------|--|---------------|-----------------|---------|
| 32-31-6.1 | Move over law (Minimum fine of \$270) | \$270 | \$348.50 | STVH |
| 32-32-6 | Failure to stop for school patrol or school bus while loading or unloading | \$54 | \$132.50 | FSTB |
| 32-33-2 | Failure to appear for court hearing | \$54 | \$132.50 | PRMP |
| 32-34-3.1 | Failure to report accident to police authority when persons entitled to information disabled | \$54 | \$132.50 | IMRP |
| 32-34-4 | Failure to stop & report after accident with unattended vehicle | \$54 | \$132.50 | STAC |
| 32 - 34-7 | Failure to immediately report accident, minor damage, etc. | \$54 | \$132.50 | ARPT |
| 32-34-9 | Failure of occupant to report accident when driver unable to do so | \$54 | \$132.50 | REPT |
| 34-35-8 | Throwing match or burning object from vehicle | \$104 | \$182.50 | МТСН |
| 34A-7-7 | Littering from motor vehicle Note: Additional fine can be assessed under 34A-7-17 | \$104 | \$182.50 | LTTR |
| | GAME, FISH AND PARKS VIOLATI | IONS | | |
| | AQUATIC INVASIVE SPECIES (AIS) OF | FENSES | | |
| 41-13A-2 | Possess/Import/Ship/Transport AIS | \$104 | \$182.50 | PIST |
| 41-13A-3 | Illegal conveyance placement into waters | \$104 | \$182.50 | CPIW |
| 41-13A-4 | Conveyance removal requirements | \$104 | \$182.50 | CVRR |
| 41-13A-5 | Failure to stop for inspection | \$104 | \$182.50 | FLSI |
| 41:10:04:0 | 5 Fish / bait water transportation restrictions | \$25 | \$97.50 I | FBTR |
| | BOATING/PUBLIC WATER OFFENSE | :S | | |
| 32-3A-3 | Operating boat without valid license or numbers | " | #12 2 #2 | DW II I |
| | | \$54 | | BTNU |
| 32-3A - 5 | Improper display of boat numbers | \$54 | \$132.50 | DSNU |
| 42-8-1.4 | Violation of water restriction imposed by Governor/designee | \$54 | \$132.50 | VWAR |
| 42-8-41 | Misc. other boat safety equipment | \$54 | \$132.50 | LFPR |
| 42-8-44.1 | Underwater diving violation (allowable area/flag required) | \$54 | \$132.50 | DIVE |

| STATUTE | OFFENSE | FINE | TOTAL | CODE |
|------------------|---|-------|----------|----------|
| 42-8-48 | Water-skiing after hours | \$54 | \$132.50 | WSKI |
| 42-8-49 | Water-skiing without observer or mirror | \$54 | \$132.50 | MIRO |
| 42-8-58 | Failure to report accident | \$54 | \$132.50 | RPRT |
| 42 - 8-69 | Boat operator under age of 12 w/o responsible adult | \$54 | \$132.50 | BUND |
| 42-8-102 | Unsafe operation of personal watercraft by: | | | |
| | a) not wearing a PFD (lifejacket) | \$54 | \$132.50 | BTLF |
| | b) not using lights as is required by boat | \$54 | \$132.50 | BTRE |
| | c) not keeping no-wake requirements within 150' of swimmers/docks/non-motorized boats | \$54 | \$132.50 | BTWK |
| | d) allowing underage operator (under age 14) to operate personal watercraft | \$54 | \$132.50 | ВТОР |
| | e) not using engine cutoff lanyard as required | \$54 | \$132.50 | BECO |
| 41:04:01:07 | Unauthorized/improper buoy placement | \$50 | \$122.50 | BTBU |
| 41:04:01:09 | Operating boat in violation of posted waters | \$50 | \$122.50 | MBWA |
| | a) Boat in zoned swim area | \$50 | \$122.50 | BTSZ |
| | b) Boat under power in zoned swim area | \$100 | \$172.50 | BTSA |
| | c) Boat under power-zoned swim area w/swimmer present | \$150 | \$222.50 | BTSM |
| 41:04:01:10 | Person in water within 50' of public boat ramp unless loading/unloading boat | \$50 | \$122.50 | RAMP |
| 41:04:05:02 | Insufficient number of personal flotation devices (PFDs) | \$50 | \$122.50 | BPFL |
| 41:04:05:02 | (1) PFD use required (child under 7 years of age/hybrid) | \$50 | \$122.50 | LFCH |
| 41:04:05:02 | (2) No throwable lifesaving device | \$50 | \$122.50 | TRLP |
| 41:04:05:03 | No fire extinguisher | \$50 | \$122.50 | BEXT |
| 41:04:05:06 | Violation of navigation rules | \$50 | \$122.50 | VNAV |
| 41:04:05:14 | Careless operation | \$50 | \$122.50 | BSPE |
| 41:04:05:18 | Operating motorboat without lights | \$50 | \$122.50 | LITB |
| 41:04:05:19 | Overloading prohibited | \$50 | \$122.50 | PORL |
| Effective July | 1, 2023 | | | <u> </u> |

| STATUTE | OFFENSE | FINE | TOTAL | CODE |
|----------|--|-------------|-----------------------------|---------|
| | Fishing Offenses | | | |
| 34A-8-9 | Take/transport/possess threatened or endangered fish | \$204 | \$282.50 | THFS |
| 41-1-4 | Wanton waste of fish | \$79 | \$157.50 | WAST |
| 41-2-18 | Fishing during closed season | \$54 | \$132.50 (1) | FCLS |
| 41-6-7 | Unlawful entry onto boundary waters from South Dakota | \$104 | \$182.50 | ULEN |
| 41-6-52 | Residency requirements | \$104 | \$182.50 | RESD |
| 41-6-63 | Failure to exhibit license | \$29 | \$107.50 | HNTL |
| 41-6-76 | Fishing without license - resident | \$54 | \$132.50 ⁽¹⁾ | RSLC |
| 41-6-77 | Fishing without license - non-resident | \$104 | \$182.50 ⁽¹⁾ | NSLC |
| 41-9-1 | Trespass to fish (unknowing) | \$79 | \$157.50 | Various |
| 41-9-1 | Trespass to fish (knowing) | \$500 | \$578.50 ⁽¹⁾ | Various |
| 41-12-3 | Violate ice-fishing structure regulations | \$29 | \$107.50 | ICEH |
| 41-12-6 | Too many lines, each | \$25 ea | \$78.50 costs | s LINS |
| 41-12-7 | Unattended lines (each) | \$25 ea | \$78.50 costs | s ATND |
| 41-12-8 | Prohibited bait | \$29 | \$107.50 | PRBA |
| 41-12-12 | Illegal fishing method (dip nets, snagging) | \$104 | \$182.50 ⁽¹⁾ | QPMT |
| 41-14-4 | Unlawful public storage of fish (not for each fish) [Packages not marked by owner] | \$29 | \$107.50 | STOF |
| 41-14-32 | Over limit of fish / unlawful possession: a. Game fish with a limit of 25 or more | \$5 ea S | \$78.50 costs | FSHO |
| | b. Paddlefish | \$250 ea \$ | 578.50 ⁽¹⁾ costs | sFSPD |
| | c. Other species of fish 1 to 3 over limit | \$30 ea \$ | 678.50 costs | FSSP |
| | 4 to 8 over limit | \$50 ea \$ | 578.50 ⁽¹⁾ costs | sFSXP |
| | | | | |

⁽¹⁾ Fishing Privileges Revoked (2) Hunting Privileges Revoked (3) Trapping Privileges Revoked Effective July 1, 2023

| STATUTE | OFFENSE | FINE | TOTAL | CODE |
|----------------|--|---------|---------------------------|----------|
| | 9 or more over limit | Court | appearance i | req'd(1) |
| 41:07:01:03 | Unlawful possession of minnows or baitfish | \$25 | \$97.50 | UPMB |
| 41:07:01:05 | Fishing in Restricted Area | \$50 | \$122.50 | FISR |
| 41:07:01:07 | Unlawful transportation / public storage of frozen fish [more than two filets per package] | \$25 | \$97.50 | FIST |
| 41:07:01:14 | Highgrading of fish prohibited | \$25 | \$97.50 | HGFP |
| 41:07:03:03 | Fish length violation (each) | \$25 ea | \$72.50cos | sts UNLG |
| 41:07:03:03 | Possession of organic bait | \$25 | \$97.50 | ORBA |
| 41:07:03:03 | Failure to retain walleye taken through ice on Lower Francis Case | \$25 | \$97.50 | RWAL |
| 41:07:03:05 | Unlawful possession of fish on the water | \$25 | \$97.50 | ANGL |
| 41:07:05:02 tl | hru:05 Paddlefish regulations | \$100 | \$172.50 | PADL |
| 41:09:04:03 tl | hru: 06 Bait trapping regulations | \$50 | \$122.50 | Various |
| | FURBEARER OFFENSES | | | |
| 41-6-23 | Trapping bobcat without license - resident | \$404 | \$482.50 ⁽³⁾ | TRBC |
| 41-6-23 | Nonresident | \$504 | \$582.50 ⁽³⁾ | TBCN |
| 41-6-23 | Trapping other furbearer without a license - resident | \$154 | \$232.50 ⁽³⁾ | TRLC |
| 41-6-23 | Nonresident | \$304 | \$382.50 ⁽³⁾ | TRLN |
| 41-6-23 | Hunting bobcat without license - resident | \$404 | \$482.50 ⁽²⁾ | HUBC |
| 41-6-23 | Nonresident | \$504 | \$582.50 ⁽²⁾ | HBCN |
| 41-6-23 | Hunting other furbearer without license - resident | \$154 | \$232.50 ⁽²⁾ | HRLC |
| 41-6-23 | Nonresident | \$304 | \$382.50(2) | HFLN |
| 41-8-19 | Hunting bobcat during closed season - resident | \$404 | \$482.50(2) | HTCL |
| 41-8-19 | Nonresident | \$504 | \$582.50 ⁽²⁾ | HBNR |
| 41-8-19 | Hunting other furbearer during closed season - resident | \$154 | \$232.50(2) | RBCL |
| 41-8-19 | Nonresident | \$304 | \$382.50 ⁽²⁾] | HFBN |

| STATUTE | OFFENSE | FINE | TOTAL | CODE |
|----------------------|--|-------|-----------------------|-----------------------|
| 41-8-19 | Trapping bobcat during closed season - resident | \$404 | \$482.50 | ³⁾ TBCL |
| 41-8-19 | Nonresident | \$504 | \$582.50 | ³⁾ TBNR |
| 41-8-19 | Trapping other furbearer during closed season - resident | \$154 | \$232.50 | ³⁾ RBCL |
| 41-8-19 | Nonresident | \$304 | \$232.50 | 3) TFNR |
| 41-8-21 | Possession of unchecked raw furs | \$79 | \$157.50 | RFUR |
| 41-8-24 | Prohibited method of taking mink/muskrat/beaver | \$79 | \$157.50 | НТМТ |
| 41-9-1 | Trespass to trap (unknowingly) | \$79 | \$157.50 | Various |
| 41-9-1 | Trespass to trap (knowingly) | \$500 | \$578.50 [©] | ³⁾ Various |
| 1 1-9-1.1 | Trapping road right of way within 660 feet of occupied dwelling. | \$79 | \$157.50 | H660 |
| 11:08:01:08.0 | 1 Failure to register bobcat within 5 days | \$100 | \$172.50 | BCTR |
| 11:08:02:01 t | hru:11 Prohibited trapping methods | \$75 | \$147.50 | PTRP |
| 1:08:02:12 | Possession of wild animal/Failure to notify department | \$75 | \$147.50 | PSAN |
| 1:08:02:13 | Failure to render trap inoperable | \$75 | \$147.50 | TRPI |
| | SHOOTING PRESERVES | | | |
| 1:09:01:02 | Insufficient release of birds | \$200 | \$272.50 | RELB |
| 1:09:01:02.0 | 1 Failure to notify of release of birds | \$200 | \$272.50 | NREL |
| 1:09:01:04 | Failure to tag birds | \$200 | \$272.50 | TGBD |
| 1:09:01:05.0 | 1 Records violation | \$200 | \$272.50 | RERQ |
| | HUNTING OFFENSES | | | |
| 2-20A-12 | Hunting from snowmobile | \$79 | \$157.50 | HTSN |
| 4A-8-9 | Take / transport / possess threatened or endangered wild animals | \$204 | \$282.50 | THSP |
| 1-1-4 | Wanton waste of game | \$79 | \$157.50 | WAST |
| 1-6-7 | Unlawful entry onto boundary waters from SD | \$104 | \$182.50 | ULEN |
| | Minor hunting without adult supervision | \$14 | \$92.50 | HNAD |
| 1-6-13 | The state of the s | • | | |

| STATUTE | OFFENSE | FINE | TOTAL | CODE |
|-----------|--|-------------|----------------------------|--------------------|
| 41 6 16 | Therefore and the second of th | #104 | 0105 50(2) | |
| 41-6-16 | Hunting small game/waterfowl without license, resident | \$104 | \$182.50 ⁽²⁾ | HTLC |
| 41-6-17 | Small game, no license, non-resident | \$204 | \$282.50(2) | SGLC |
| 41-6-18.1 | Waterfowl, no license, non-resident | \$204 | \$282.50(2) | NRST |
| 41-6-27 | Hunting turkey, no license, resident | \$104 | \$182.50 ⁽²⁾ | TWLR |
| 41-6-27 | Exceed turkey limit, resident: 1 bird over limit | \$104 | \$182.50 ⁽²⁾ | ELTR |
| | 2-3 birds over limit | \$150 ea | \$78.50costs ⁽² | ²⁾ XLTR |
| | 4 or more over limit | Court a | ppearance req | 'd ⁽²⁾ |
| 41-6-28 | Hunting turkey, no license, non-resident | \$154 | \$232.50(2) | TWLN |
| 41-6-28 | Exceed limit, non-resident: 1 turkey over limit | \$104 | \$182.50 ⁽²⁾ | ELTN |
| | 2-3 birds over limit | \$150 ea | \$78.50costs(2 | XLTN |
| | 4 or more over limit | Court ap | pearance req | 'd ⁽²⁾ |
| 41-6-30 | Unprotected game, no license, non-resident | \$54 | \$132.50 ⁽²⁾ I | UNGM |
| 41-6-33 | No taxidermy license (or records violations) | \$104 | \$182.50 | ΓXDR |
| 41-6-52 | Residency requirements | \$104 | \$182.50 I | RESD |
| 41-6-63 | Failure to exhibit license | \$29 | \$107.50 I | HNTL |
| 41-6-74.3 | Failure to surrender license | \$54 | \$132.50 I | LCSU |
| 41-6-78 | Dog training violation | \$54 | \$132.50 I | OGTG |
| 41-6-80 | Unprotected game, no license, resident | \$29 | \$107.50 ⁽²⁾ N | NLCG |
| 41-8-16 | Use of salt to attract big game | \$104 | \$182.50 S | SALT |
| 41-8-17 | Artificial light/night vision, landowner/occupant/guest | \$54 | \$132.50 I | JIGT |
| 41-8-17 | Artificial light/night vision | \$204 | \$282.50 ⁽²⁾ A | ALGT |
| 41-8-17.1 | Unlawful use of artificial light except headlights (10 p.m. to sunrise / Sept. 1 - Jan. 31) | \$54 | \$132.50 S | SPLT |

| STATUTE | OFFENSE | FINE | TOTAL CODE |
|----------|---|---------|-----------------------------------|
| 41-8-37 | Shooting from motor vehicle | \$129 | \$207.50 ⁽²⁾ HNTV |
| 41-8-41 | Florescent orange clothing required | \$29 | \$107.50 HTOR |
| 41-9-1 | Unknowing trespass, resident | \$79 | \$157.50 UTRS |
| 41-9-1 | Unknowing trespass, nonresident | \$79 | \$157.50 UTRP |
| 41-9-1 | Knowingly trespass, resident | \$500 | \$578.50 ⁽²⁾ TRSP |
| 41-9-1 | Knowingly trespass, nonresident | \$500 | \$578.50 ⁽²⁾ TRSN |
| 41-9-1.1 | Hunting road right-of-way within 660 feet of posted dwelling | \$129 | \$207.50 ⁽²⁾ P660 |
| 41-9-1.1 | Hunting road right-of-way within 660 feet of dwelling/livestock, non-posted | \$79 | \$157.50 H660 |
| 41-9-1.1 | Hunting doves from road right-of-way prohibited | \$29 | \$107.50 HDRR |
| 41-9-1.2 | Shooting at big game from road | \$129 | \$207.50 ⁽²⁾ BGRW |
| 41-9-1.5 | Misc. road right-of-way hunting restrictions (small game) | \$29 | \$107.50 RWRD |
| 41-9-11 | Failure to exhibit license to person controlling private land access | \$29 | \$107.50 FELA |
| 41-11-4 | Hunting small game birds/waterfowl before or after legal he | ours: | |
| | a) less than 15 minutes | \$29 | \$107.50 HOUR |
| | b) 15 minutes to 30 minutes | \$54 | \$132.50 HOLT |
| | c) Over 30 minutes | \$104 | \$182.50 HOLH |
| 41-11-4 | Hunting small game birds/waterfowl during closed season, resident | \$154 | \$232.50 ⁽²⁾ CLSD |
| 41-11-4 | Nonresident | \$154 | \$232.50 ⁽²⁾ CLSN |
| 41-11-4 | Exceeding legal limit - small game birds / waterfowl: | | |
| | 1 to 3 over limit | \$50 ea | \$78.50 costs LIMS |
| | 4 to 6 over limit | \$75 ea | \$78.50 costs ⁽²⁾ LIMX |
| | 7 or more over limit | Court a | ppearance req'd ⁽²⁾ |
| | | | |

| STATUTE | OFFENSE | FINE | TOTAL | CODE |
|------------------------|--|---------|------------|-----------|
| 41-14-1 | Possess protected bird or small game | \$54 | \$132.50 | TKGM |
| 41-14-4 | Unlawful public storage of game (not for each bird) [Packages not marked by owner] | \$29 | \$107.50 | UNTG |
| 41-14-32 | Unlawful take, transportation or possession of small game | \$79 | \$157.50 | DTAG |
| 41:05:01:02 thru:05 | Hunting within a waterfowl, state game or federal refuge | \$50 | \$122.50 | RFUG |
| 41:06:01:02 | Ineligible application for big game license | \$50 | \$122.50 | NGBL |
| 41:06:02:01 | Hunting in wrong unit/violate conditions of license | \$50 | \$122.50 | UNIT |
| 41:06:03:01 | Improper tagging of game | \$75 | \$147.50 | ITGA |
| 41:06:03:02 | Game bird transportation/packaging requirements | \$25 | \$97.50 | CARY |
| 41:06:03:06 | Big game transportation requirements | \$25 | \$97.50 | NOHH |
| 41:06:03:11 | Wildlife processing facility records violations | \$25 | \$97.50 | WLRV |
| 41:06:04:01 | Disturbing wildlife prohibited | \$75 | \$147.50 | DISW |
| 41:06:04:03 | Big game methods prohibited (bait station/electronic call) | \$100 | \$172.50 | BGMT |
| 41:06:04:04 | Nonlicensee armed accompaniment prohibited | \$25 | \$97.50 | ULAC |
| 41:06:04:05 | Hunting without signed Federal Migratory Bird Stamp | \$25 | \$97.50 | MBRD |
| 41:06:04:05 | Lead shot in a steel shot zone while hunting waterfowl | \$25 | \$97.50 | LEDS |
| 41:06:04:05 | Unplugged shotgun for waterfowl (3-shell maximum) | \$25 | \$97.50 | PLUG |
| 41:06:04:05.0 | 1 Lead shot while hunting small game on certain public lands | \$25 | \$97.50 | NTXS |
| 41:06:04:06 | Use of vehicle/boat to disturb or chase game | \$100 | \$172.50 | MVGM |
| 41:06:04:07 | Protrusion of firearms from vehicle on highway | \$50 | \$122.50 | GGUN |
| 41:06:04:08 | Use of two-way radio in vehicle while hunting | \$50 | \$122.50 | HRDO |
| 41:06:04:12 | Hunting game birds with unlawful firearm | \$50 | \$122.50 | HTBR |
| 41:06:34:03 | Exceeding legal limit - cottontail rabbit, each | \$25 ea | \$72.50 cc | osts CRHT |
| 41:06:35:03 | Exceeding legal limit - tree squirrel, each | \$25 ea | \$72.50 cc | osts TSHT |
| | | | | |

| STATUTE | OFFENSE | FINE | TOTAL | CODE |
|---------------|---|-------|----------|---------|
| 41:06:40:05 | Shooting doves not in flight | \$25 | \$97.50 | DOVE |
| 41:06:61:06 | Mountain lion license/season restriction | \$50 | \$122.50 | LION |
| | | | | |
| | Park/Public Land Offenses | | | |
| 5-4-15 | Unauthorized fires | \$54 | \$132.50 | STFR |
| 34-35-16 | Starting fire within Black Hills Fire Protection District without permit | \$54 | \$132.50 | FBHF |
| 34-35-21 | Use of certain explosive targets in Black Hills Fire Protection District | \$54 | \$132.50 | ЕТВН |
| 34-37-11 | Setting off fireworks on state land | \$54 | \$132.50 | FWPK |
| 34-37-19 | County regulation of fireworks | \$54 | \$132.50 | FWFD |
| 34A-7-6 | Littering public or private lands or waters | \$104 | \$182.50 | WLTR |
| 34A-7-7 | Littering from motor vehicle (also moving traffic violation for record) | \$104 | \$182.50 | LTTR |
| 41-9-10 | Operating vehicles on school and public lands | \$54 | \$132.50 | OVSC |
| 41-17-27 | Operating motor vehicles on Mickelson Trail | \$54 | \$132.50 | MCTR |
| 41:03 | Miscellaneous unlisted park violations | \$50 | \$122.50 | Various |
| 41:03:01:01 | Unauthorized land use on posted GFP property | \$50 | \$122.50 | UAUT |
| 41:03:01:01.0 | 1 Unauthorized land use - curfew | \$50 | \$122.50 | CURF |
| 41:03:01:02 | Leaving property on GFP lands | \$50 | \$122.50 | PRDT |
| 41:03:01:05 | Destruction/removal of natural features | \$50 | \$122.50 | DSPR |
| 41:03:01:11 | Disturbance Prohibited (hours 11 PM and 6 AM, state parks, nature areas, lakeside use areas, and recreation areas only) | \$50 | \$122.50 | SPEK |
| 41:03:01:16.0 | 2 Restrictions on use of firearms | \$50 | \$122.50 | FRBW |
| 41:03:01:16.0 | 4 Lead shot target shooting on public lands | \$25 | \$97.50 | LSTG |
| 41:03:01:19 | Tree stand violations | \$25 | \$97.50 | GTRE |
| | | | | |

| STATUTE | OFFENSE | FINE | TOTAL | CODE |
|-------------|---|-------|----------|------|
| 41:03:01:23 | Placing residential trash at GFP trash facilities | \$75 | \$147.50 | GTSH |
| 41:03:01:24 | Glass containers prohibited | \$50 | \$122.50 | GLAS |
| 41:03:01:25 | Jumping/diving prohibited | \$50 | \$122.50 | JMDV |
| 41:03:01:29 | Prohibited use of metal detector | \$50 | \$122.50 | MTDT |
| 41:03:01:31 | Alcoholic beverage prohibited | \$54 | \$126.50 | ALCP |
| 41:03:01:35 | Bait stations prohibited | \$100 | \$172.50 | BSPB |
| 41:03:01:36 | Limitation of trail cameras | \$25 | \$97.50 | LTCM |
| 41:03:02:01 | Operating vehicles off roads on land owned, leased or controlled by the Dept. of Game, Fish & Parks | \$50 | \$122.50 | DVRD |
| 41:03:02:02 | Speeding on GFP land | \$25 | \$97.50 | SPPK |
| 41:03:02:02 | Violating traffic or parking signs or markings on GFP land | \$25 | \$97.50 | TSIP |
| 41:03:02:05 | Exhibition driving | \$50 | \$122.50 | PKEX |
| 41:03:03:03 | No park license | \$50 | \$122.50 | PRKS |
| 41:03:04:02 | No camping permit | \$25 | \$97.50 | PRMT |
| 41:03:05:01 | Failure to pay Mickelson Trail fee | \$25 | \$97.50 | TRAL |

STATUTE

OFFENSE

FINE TOTAL CODE

 ⁽¹⁾ Fishing Privileges Revoked
 (2) Hunting Privileges Revoked
 (3) Trapping Privileges Revoked

Law enforcement officers and clerk magistrates are reminded that a defendant is required to appear before a magistrate judge if the defendant is charged with a violation of a Class 2 misdemeanor that is not included on this schedule. Also, all Class 2 misdemeanor state traffic offenses (SDCL title 32) not included on this schedule for which citations are issued must be supported by an SDCL code that clearly states the violation is a Class 2 misdemeanor.

Law enforcement officers are advised that, according to SDCL 32-12-52.3 and 32-12-52.4, when any of the following violations are charged and the defendant was in a motor vehicle (whether driving or as a passenger) at the time of the alleged offense, the officer must note on the citation that the offense occurred while the accused was in a motor vehicle, and specify whether the accused was a driver or a passenger. The offenses involved include SDCL 35-9-2 (underage purchase, possession, consumption of alcoholic beverages); SDCL 22-42-5 through -11; and 22-42A-3 or 22-42A-4, which include a variety of drug charges.

Fines and appearances required for violation of municipal/county ordinances shall be the same as those required for violation of similar state statutes. For other traffic offenses not covered by ordinance, the fines are the same as the state schedule.

Any officer has the authority to require a violator to appear before a magistrate judge.

This order of schedules becomes effective July 1, 2023, and shall continue in effect until further Order of the Court.

Dated at Wine South Dakota, this 34h day of June , 2023.

Presiding Circuit Judge

ATTEST:

Clerk of Court

GUIDELINES FOR TRUCK OVERWEIGHT OFFENSES

Note: A magistrate court with a clerk magistrate presiding has concurrent jurisdiction to accept an overweight truck civil penalty imposed pursuant to SDCL 32-22-55 <u>only if</u> the civil penalty is paid in full as part of a guilty plea. If the driver cannot pay the penalty in full as part of the guilty plea, the clerk must contact the magistrate or circuit court judge to set the bond.

The overweight violation cited under § 32-22-52 is a Class 2 misdemeanor, the penalty for which is a \$104 fine, 30 days in jail, or both.

An additional cash penalty, not subject to suspension, shall be assessed on the total overweight at one of the rates set forth below (§ 32-22-55):

- 1) For one thousand to three thousand pounds total overweight, the additional penalty is five cents per pound on all overweight exceeding one thousand pounds.
- 2) From three thousand-one pounds, up to and including four thousand pounds total overweight, the additional penalty is fifteen cents per pound on the total overweight.
- 3) From four thousand-one pounds, up to and including five thousand pounds total overweight, the additional penalty is twenty-two and one-half cents per pound on the total overweight.
- 4) For total overweight of five thousand-one pounds, up to and including ten thousand pounds total overweight, the additional penalty is thirty-seven and one-half cents per pound on the total overweight.
- 5) For total overweight of ten thousand-one pounds and over, the additional penalty is seventy-five cents per pound on the total overweight.

To the above-determined amount of fine and additional cash penalty, liquidated costs and surcharges in the amount of \$78.50 should be added. A circuit judge may waive any or all of this \$78.50 amount.

Any portion of the fine (or \$78.50 liquidated costs and surcharges) that is suspended shall be deducted from the above computation. No part of the cash penalty can be suspended.

FY24 FINE AND BOND SCHEDULE ADDENDUM (effective 7/1/2023)

| STATUTE/RULE | FINE | TOTAL |
|----------------------|--------|-----------|
| 5-4-15 | \$54 | \$132.50 |
| 10-47B-187(15) | \$104 | \$182.50 |
| 13-32-6 | \$54 | \$132.50 |
| 22-18-35 | \$54 | \$132.50 |
| 22-35-6 | \$54 | \$132.50 |
| 22-42-24 | \$204 | \$282.50 |
| 22-42-25 | \$100 | \$178.50 |
| 22-42A-3 | \$204 | \$282.50 |
| 31-4-14.3 | \$154 | \$232.50 |
| 31-8-15 | \$54 | \$132.50 |
| 32-3-12 | \$54 | \$132.50 |
| 32-3A-3 | \$54 | \$132.50 |
| 32-3A-5 | \$54 | \$132.50 |
| 32-5-2 | \$54 | \$132.50 |
| 32-5-2.4 | \$54 | \$132.50 |
| 32-5-6.3 | \$54 | \$132.50 |
| 32-5-8.2 | \$54 | \$132.50 |
| 32-5-27 | \$54 | \$132.50 |
| 32-5-98 | \$54 | \$132.50 |
| 32-5-178 | \$54 | \$132.50 |
| 32-6B-25 | \$104 | \$182.50 |
| 32-9 | \$104 | \$182.50 |
| 32-9-3.1 (32-5-49.1) | \$104 | \$182.50 |
| 32-10-34 | \$54 | \$132.50 |
| 32-12-22 | \$54 | \$132.50 |
| 32-12-65(2) | \$204 | \$282.50 |
| 32-12-65(3) | \$104 | \$182.50 |
| 32-12-72 | \$54 | \$132.50 |
| 32-12-74 | \$54 | \$132.50 |
| 32-12A-6 | .\$104 | .\$182.50 |
| 32-12A-8.2 | .\$104 | \$182.50 |
| 32-12A-44 | \$254 | \$332.50 |
| 32-14-9.1 | \$54 | \$132.50 |
| 32-15-2.4 | \$54 | \$132.50 |
| 32-15-2.5 | \$54 | \$132.50 |
| 32-15-2.9 | \$54 | \$132.50 |
| 32-15-11 | \$54 | \$132.50 |

| 32-15-17 | \$54 | \$132.50 |
|-----------|------|----------|
| 32-15-18 | \$54 | \$132.50 |
| 32-17-4 | \$54 | \$132.50 |
| 32-17-5&6 | \$54 | \$132.50 |
| 32-17-7 | \$54 | \$132.50 |
| 32-17-9 | \$54 | \$132.50 |
| 32-17-10 | \$54 | \$132.50 |
| 32-17-16 | \$54 | \$132.50 |
| 32-17-19 | \$54 | \$132.50 |
| 32-17-20 | \$54 | \$132.50 |
| 32-17-27 | \$54 | \$132.50 |
| 32-17-28 | \$54 | \$132.50 |
| 32-17-29 | \$54 | \$132.50 |
| 32-17-42 | \$54 | \$132.50 |
| 32-18-1 | \$54 | \$132.50 |
| 32-18-13 | \$54 | \$132.50 |
| 32-19-3 | \$54 | \$132.50 |
| 32-19-7 | \$54 | \$132.50 |
| 32-19-9 | \$54 | \$132.50 |
| 32-19-10 | \$54 | \$132.50 |
| 32-19-12 | \$54 | \$132.50 |
| 32-19-13 | \$54 | \$132.50 |
| 32-20-2 | \$54 | \$132.50 |
| 32-20-4 | \$54 | \$132.50 |
| 32-20-6.1 | \$54 | \$132.50 |
| 32-20-6.2 | \$54 | \$132.50 |
| 32-20-6.3 | \$54 | \$132.50 |
| 32-20-6.4 | \$54 | \$132.50 |
| 32-20-6.5 | \$54 | \$132.50 |
| 32-20-9.1 | \$54 | \$132.50 |
| 32-20-9.2 | \$54 | \$132.50 |
| 32-20-9.3 | \$54 | \$132.50 |
| 32-20-9.5 | \$54 | \$132.50 |
| 32-20-12 | \$54 | \$132.50 |
| 32-20A-2 | \$54 | \$132.50 |
| 32-20A-3 | \$54 | \$132.50 |
| 32-20A-5 | \$54 | \$132.50 |
| 32-20A-7 | \$54 | \$132.50 |

 ⁽¹⁾ Fishing Privileges Revoked
 (2) Hunting Privileges Revoked
 (3) Trapping Privileges Revoked

| \$5 1 | ¢120.50 | | |
|--------------|---|--|--|
| | \$132.50 | | |
| | \$157.50 | | |
| | \$132.50 | | |
| | \$132.50 | | |
| | \$132.50 | | |
| | \$132.50 | | |
| | \$182.50 | | |
| | \$182.50 | | |
| | \$182.50 | | |
| | \$682.50 | | |
| | \$182.50 | | |
| | \$132.50 | | |
| \$54 | \$132.50 | | |
| SEE SCHEI | DULE | | |
| \$54 | \$132.50 | | |
| SEE SCHEDULE | | | |
| \$54 | \$132.50 | | |
| SEE SCHEI | E SCHEDULE | | |
| SEE SCHEDULE | | | |
| SEE SCHEDULE | | | |
| SEE SCHEL | SEE SCHEDULE | | |
| \$204 | \$282.50 | | |
| \$54 | \$132.50 | | |
| \$54 | \$132.50 | | |
| \$54 | \$132.50 | | |
| \$54 | \$132.50 | | |
| \$54 | \$132.50 | | |
| .\$54 | \$132.50 | | |
| \$54 | \$132.50 | | |
| \$54 | \$132.50 | | |
| \$54 | \$132.50 | | |
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| \$54 | \$132.50 | | |
| \$54 | \$132.50 | | |
| \$54 | \$132.50 | | |
| | \$54 SEE SCHEE \$54 SEE SCHEE SEE SCHEE SEE SCHEE SEE SCHEE \$204 \$54 \$54 \$54 \$54 \$54 \$54 \$54 \$54 \$54 \$555 \$555 | | |

 ⁽¹⁾ Fishing Privileges Revoked
 (2) Hunting Privileges Revoked
 (3) Trapping Privileges Revoked

| 32-26-36 | \$54 | \$132.50 |
|------------|---------|----------|
| 32-26-37 | \$54 | \$132.50 |
| 32-26-40 | \$54 | \$132.50 |
| 32-26-43 | \$54 | \$132.50 |
| 32-26-47.1 | \$100 | \$178.50 |
| 32-26-47.2 | \$100 | \$178.50 |
| 32-26-55 | \$54 | A |
| 32-20-33 | \$54 | \$132.50 |
| 32-28-6 | | \$132.50 |
| 32-28-7 | \$54 | \$132.50 |
| 32-28-10 | \$54 | \$132.50 |
| | \$54 | \$132.50 |
| 32-29 | \$54 | \$132.50 |
| 32-29-2.1 | \$54 | \$132.50 |
| 32-29-3 | \$54 | \$132.50 |
| 32-29-4 | \$54 | \$132.50 |
| 32-29-5 | \$54 | \$132.50 |
| 32-30-1 | \$31.50 | \$105.00 |
| 32-30-2 | \$31.50 | \$105.00 |
| 32-30-2.1 | \$31.50 | \$105.00 |
| 32-30-2.2 | \$31.50 | \$105.00 |
| 32-30-11.4 | \$100 | \$173.50 |
| 32-30-20 | \$54 | \$132.50 |
| 32-30-21 | \$54 | \$132.50 |
| 32-31-6 | \$54 | \$132.50 |
| 32-31-6.1 | \$270 | \$348.50 |
| 32-31-7 | \$29 | \$107.50 |
| 32-31-8 | \$29 | \$107.50 |
| 32-32-6 | \$54 | \$132.50 |
| 32-33-2 | \$54 | \$132.50 |
| 32-33-17 | \$104 | \$182.50 |
| 32-33-18 | \$204 | \$282.50 |
| 32-34-3.1 | \$54 | \$132.50 |
| 32-34-4 | \$54 | \$132.50 |
| 32-34-7 | \$54 | \$132.50 |
| 32-34-9 | \$54 | \$132.50 |
| 34-35-8 | \$104 | \$182.50 |
| 34-35-16 | \$54 | \$132.50 |
| 34-35-21 | \$54 | \$132.50 |

 ⁽¹⁾ Fishing Privileges Revoked
 (2) Hunting Privileges Revoked
 (3) Trapping Privileges Revoked

| 34-37-11 | \$54 | \$132.50 |
|------------------|--------------|-------------------------|
| 34-37-19 | \$54 | \$132.50 |
| 34-46-2 | \$29 | \$107.50 |
| 34-46-5 | | |
| 34A-7-6 | \$104 | \$182.50 |
| 34A-7-7 | \$104 | \$182.50 |
| 34A-8-9 | \$204 | \$282.50 |
| 35-1-5.3 | \$54 | \$132.50 |
| 35-1-9.1 | \$54 | \$132.50 |
| 38-15-16 | \$100 | \$178.50 |
| 40-20-18 | SEE SCH | EDULE |
| 41-1-4 | \$79 | \$157.50 |
| 41-2-18 | \$54 | \$132.50 ⁽¹⁾ |
| 41-6-7 | \$104 | \$182.50 |
| 41-6-13 | \$14 | \$92.50 |
| 41-6-16 | SEE SCHEDULE | |
| 41-6-17 | \$204 | \$282.50 ⁽²⁾ |
| 41-6-18.1 | \$204 | \$282.50 ⁽²⁾ |
| 41-6-23 | SEE SCHEDULE | |
| 41-6-27 | SEE SCHEDULE | |
| 41-6-28 | SEE SCHEDULE | |
| 41-6-30 | \$54 | \$132.50 ⁽²⁾ |
| 41-6-33 | \$104 | \$182.50 |
| 41-6-52 | \$104 | \$182.50 |
| 41-6-63 | \$29 | \$107.50 |
| 41-6-74.3 | \$54 | \$132.50 |
| 41-6 - 76 | \$54 | \$132.50 ⁽¹⁾ |
| 41-6-77 | \$104 | \$182.50 ⁽¹⁾ |
| 41-6-78 | \$54 | \$132.50 |
| 41-6-80 | \$29 | \$107.50 ⁽²⁾ |
| 41-8-16 | \$104 | \$182.50 |
| 41-8-17 | SEE SCHE | EDULE |
| 41-8-17.1 | \$54 | \$132.50 |
| 41-8-19 | SEE SCHE | EDULE |
| 41-8-21 | \$79 | \$157.50 |
| 41-8-24 | \$79 | \$157.50 |
| 41-8-37 | \$129 | \$207.50 (2) |

 ⁽¹⁾ Fishing Privileges Revoked
 (2) Hunting Privileges Revoked
 (3) Trapping Privileges Revoked

| · · · · · · · · · · · · · · · · · · · | | |
|---------------------------------------|--------------|-------------------------|
| 41-8-41 | \$29 | \$107.50 |
| 41-9-1 | SEE SCHEDULE | |
| 41-9-1.1 | SEE SCH | |
| 41-9-1.2 | \$129 | \$207.50 (2) |
| 41-9-1.5 | \$29 | \$107.50 |
| 41-9-10 | \$54 | \$132.50 |
| 41-9-11 | \$29 | \$107.50 |
| 41-11-4 | SEE SCHEDULE | |
| 41-12-3 | \$29 | \$107.50 |
| 41-12-6 | \$25 ea | +\$78.50 costs |
| 41-12-7 | \$25 ea | +\$78.50 costs |
| 41-12-8 | \$29 | \$107.50 |
| 41-12-12 | \$104 | \$182.50 ⁽¹⁾ |
| 41-13A-2 | \$104 | \$182.50 |
| 41-13A-3 | \$104 | \$182.50 |
| 41-13A-4 | \$104 | \$182.50 |
| 41-13A-5 | \$104 | \$182.50 |
| 41-14-1 | \$54 | \$132.50 |
| 41-14-4 | \$29 | \$107.50 |
| 41-14-32 | SEE SCHEDULE | |
| 41-17-27 | \$54 | \$132.50 |
| 41-19-4 | \$54 | \$132.50 |
| 42-8-1.4 | \$54 | \$132.50 |
| 42-8-41 | \$54 | \$132.50 |
| 42-8-44.1 | \$54 | \$132.50 |
| 42-8-48 | \$54 | \$132.50 |
| 42-8-49 | \$54 | \$132.50 |
| 42-8-58 | \$54 | \$132.50 |
| 42-8-69 | \$54 | \$132.50 |
| 42-8-102 | \$54 | \$132.50 |
| 49-28-63 | \$104 | \$182.50 |
| 49-28-66 | \$104 | \$182.50 |
| 49-28A-3 | \$104 | \$182.50 |
| 41:03 | \$50 | \$122.50 |
| 41:03:01:01 | \$50 | \$122.50 |
| 41:03:01:01.01 | \$50 | \$122.50 |
| 41:03:01:02 | \$50 | \$122.50 |

 ⁽¹⁾ Fishing Privileges Revoked
 (2) Hunting Privileges Revoked
 (3) Trapping Privileges Revoked

| 41:03:01:05 | \$50 | \$122.50 |
|----------------------|-------|-----------|
| 41:03:01:11 | \$50 | \$122.50 |
| 41:03:01:16.02 | \$50 | \$122.50 |
| 41:03:01:16.04 | \$25 | \$97.50 |
| 41:03:01:19 | \$25 | \$97.50 |
| 41:03:01:23 | \$75 | \$147.50 |
| 41:03:01:24 | \$50 | \$122.50 |
| 41:03:01:25 | \$50 | \$122.50 |
| 41:03:01:29 | \$50 | \$122.50 |
| 41:03:01:31 | \$54 | \$126.50 |
| 41:03:01:35 | \$100 | \$172.50 |
| 41:03:01:36 | \$25 | \$97.50 |
| 41:03:02:01 | \$50 | \$122.50 |
| 41:03:02:02 | \$25 | \$97.50 |
| 41:03:02:05 | \$50 | \$122.50 |
| 41:03:03:03 | \$50 | \$122.50 |
| 41:03:04:02 | \$25 | \$97.50 |
| 41:03:05:01 | \$25 | \$97.50 |
| 41:04:01:07 | \$50 | \$122.50 |
| 41:04:01:09 | \$50 | \$122.50 |
| a | \$50 | \$122.50 |
| ь | \$100 | \$172.50 |
| C | \$150 | \$222.50 |
| 41:04:01:10 | \$50 | \$122.50 |
| 41:04:05:02 | \$50 | \$122.50 |
| 41:04:05:02(1) | .\$50 | .\$122.50 |
| 41:04:05:02(2) | \$50 | \$122.50 |
| 41:04:05:03 | \$50 | \$122.50 |
| 41:04:05:06 | \$50 | \$122.50 |
| 41:04:05:14 | \$50 | \$122.50 |
| 41:04:05:18 | \$50 | \$122.50 |
| 41:04:05:19 | \$50 | \$122.50 |
| 41:05:01:02 thru :05 | \$50 | \$122.50 |
| 41:06:01:02 | \$50 | \$122.50 |
| 41:06:02:01 | \$50 | \$122.50 |
| 41:06:03:01 | \$75 | \$147.50 |
| 41:06:03:02 | \$25 | \$97.50 |

 ⁽¹⁾ Fishing Privileges Revoked
 (2) Hunting Privileges Revoked
 (3) Trapping Privileges Revoked

| 41:06:03:06 | \$25 | \$97.50 |
|----------------------|--------------|----------------|
| 41:06:03:11 | \$25 | \$97.50 |
| 41:06:04:01 | \$75 | \$147.50 |
| 41:06:04:03 | \$100 | \$172.50 |
| 41:06:04:04 | \$25 | \$97.50 |
| 41:06:04:05 | \$25 | \$97.50 |
| 41:06:04:05.01 | \$25 | \$97.50 |
| 41:06:04:06 | \$100 | \$172.50 |
| 41:06:04:07 | \$50 | \$122.50 |
| 41:06:04:08 | \$50 | \$122.50 |
| 41:06:04:12 | \$50 | \$122.50 |
| 41:06:34:03 | \$25 ea | +\$72.50 costs |
| 41:06:35:03 | \$25 ea | +\$72.50 costs |
| 41:06:40:05 | \$25 | \$97.50 |
| 41:06:61:06 | \$50 | \$122.50 |
| 41:07:01:03 | \$25 | \$97.50 |
| 41:07:01:05 | \$50 | \$122.50 |
| 41:07:01:07 | \$25 | \$97.50 |
| 41:07:01:14 | \$25 | \$97.50 |
| 41:07:03:03 | SEE SCHEDULE | |
| 41:07:03:05 | \$25 | \$97.50 |
| 41:07:05:02 thru :05 | \$100 | \$172.50 |
| 41:08:01:08.01 | \$100 | \$172.50 |
| 41:08:02:01 thru :11 | \$75 | \$147.50 |
| 41:08:02:12 | \$75 | \$147.50 |
| 41:08:02:13 | \$75 | \$147.50 |
| 41:09:01:02 | \$200 | \$272.50 |
| 41:09:01:02.01 | \$200 | \$272.50 |
| 41:09:01:04 | \$200 | \$272.50 |
| 41:09:01:05.01 | \$200 | \$272.50 |
| 41:09:04:03 thru :06 | \$50 | \$122.50 |
| 41:10:04:05 | \$25 | \$97.50 |

 ⁽¹⁾ Fishing Privileges Revoked
 (2) Hunting Privileges Revoked
 (3) Trapping Privileges Revoked