

South Dakota

Effective July 2011, repeat and first-time offenders with a BAC of .17 or greater have the option to enter the state's 24/7 program and have the choice to use an interlock. As of December 2017, there were 67 interlocks installed in South Dakota. Between 2006 to 2018, interlocks stopped 1,779 attempts to drive drunk, including 132 in 2018.

Why MADD does not call the law all-offender? Judges are not required to order an interlock for first-time offenders or as a condition of driving privileges for participation in the 24/7 program.

Ignition Interlock Law Overview and MADD Legislative Recommendations

How soon can an ignition interlock be installed?		Duration on ignition interlock	Legislative Recommendation
1st offense .17 BAC or more	As soon as bond is granted or participation into the 24/7 program	Unclear	<i>Require interlocks for all first-time drunk drivers. Eliminate waiting time for repeat offenders to install an interlock. Allow for the use of interlocks for any refusal</i>
Second offense		Unclear	
First refusal	Interlocks not available for first-time refusals		
Compliance Based Removal?			No
Legislative Recommendation	<i>Add a compliance based removal component to the law (a user must prove a certain period of sober driving before exiting the interlock program).</i>		
Day-for-Day Credit for early installation?			No
Legislative Recommendation	<i>Allow for the use of ignition interlock after arrest and credit early installation of an interlock toward time ordered on an interlock upon conviction.</i>		
Do plea agreements or reductions in the original DUI charge include the requirement of an interlock?			No
Legislative Recommendation	<i>Allow a first-time apprehended drunk driver who did not cause an injury or property damage crash, and successfully completes six continuous months on an ignition interlock and completes other court or department conditions to be granted a plea deal.</i>		
Indigent Program?			No
Legislative Recommendation	<i>Create an indigent program so low-income interlock users have access to these devices. This program should be paid for by interlock vendors or non-indigent interlock users.</i>		
Interlock user fees (not including leasing costs of the device)			Yes

The participant shall pay an enrollment fee in the amount of not more than fifty dollars at the time of enrollment and monitoring fees in the amount of not more than twenty dollars at intervals to be set by the attorney general.