

AN ACT

ENTITLED, An Act to revise certain provisions regarding the issuance of vehicle license plates and stickers.

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

Section 1. That § 32-5-76 be amended to read:

32-5-76. An owner of a motor vehicle, who is a resident of this state, who has complied with all the laws of this state in regards to the registration of a motor vehicle, and who operates or directs the operation of the vehicle, may submit to the county treasurer an application containing a physician's certificate on a form approved by the secretary, stating that the applicant is a person with a substantial physical disability that makes it impossible or causes substantial hardship to walk. An owner of a motor vehicle, who is a resident of this state, who has complied with all the laws of this state in regards to the registration of a motor vehicle, and who is the parent or legal guardian of a dependant with a substantial physical disability and operates the motor vehicle for the purpose of transporting the dependent, may submit to the county treasurer an application containing a physician's certificate on a form approved by the secretary, stating that the dependent has a substantial physical disability that makes it impossible or causes substantial hardship to walk. The secretary shall promulgate a rule, pursuant to chapter 1-26, defining a person with a substantial physical disability. The department shall issue and deliver to the applicant special plates with letters, numbers, or symbols, or any combination thereof, as the secretary may prescribe. The special plates shall be designed to readily apprise law enforcement officers of the fact that the motor vehicle is owned, operated, or used in transporting a person with a substantial physical disability. No charge may be made for the issuance of the special plates. The special plates shall be in lieu of the regular number plates issued for the motor vehicle. The special plates shall be displayed as set forth in § 32-5-98. If the applicant is no longer a person or the parent or legal guardian of a dependent with a

substantial physical disability or is deceased, the special plates shall be surrendered within thirty days to the county treasurer of the applicant's residence. The treasurer shall notify the secretary who shall make the necessary changes in the registration file. The owner shall obtain regular number plates. Failure to surrender the special license plates as required by this section is a Class 2 misdemeanor. It is a Class 1 misdemeanor to submit a false or fraudulent application.

Section 2. That § 32-5-81 be amended to read:

32-5-81. On receipt of any application under §§ 32-5-2 and 32-5-3, the county treasurer shall register the vehicle. Upon payment of the fee prescribed by law for the registration of the vehicle described in the application, the county treasurer or department shall issue a distinctive number plate. The registration for the vehicle shall identify the motor vehicle and the type of fuel used by the vehicle.

The applicant shall indicate the fuel type used in the motor vehicle as one of the following: gas only, diesel, liquified petroleum gas, or other. The treasurer shall reject any application that does not specify the type of fuel used. Any applicant who fails to correctly identify the fuel used in the applicant's motor vehicle is guilty of a Class 2 misdemeanor.

Section 3. That § 32-5-82 be amended to read:

32-5-82. On receipt of any registration application pursuant to the provisions of §§ 32-5-2 and 32-5-3, the county treasurer or department shall deliver to the owner two number plates or two number stickers, or both. The plates or stickers shall bear the distinctive number contained in the application as mentioned in § 32-5-81. If the plates or stickers are mailed to the applicant, the applicant shall pay mailing fees pursuant to § 32-5-127. If the applicant requests that the plates or stickers be express mailed, the applicant shall pay the actual costs of postage and handling. All fees received by the county treasurer for mailing or expressing of the plates or stickers shall be deposited by the treasurer in the county general fund. All fees received by the department for mailing or

expressing of the plates or stickers shall be deposited by the department in the state motor vehicle fund.

Each county treasurer office shall be stocked with the following license plates:

- (1) Standard issue county motor vehicle and standard issue county motorcycle license plates issued pursuant to this section;
- (2) Emblem speciality plates issued pursuant to § 32-5-167;
- (3) Commercial trailer license plates issued pursuant to § 32-5-8.1; and
- (4) Trailer license plates issued pursuant to this chapter.

Section 4. That § 32-5-82.1 be amended to read:

32-5-82.1. The county treasurer or department shall furnish for each annual registration two identical number stickers to designate the year and month of registration. Each number sticker shall be valid only for the registration period for which the sticker is issued. The display of the sticker is evidence of current registration.

Section 5. That § 32-9-7 be amended to read:

32-9-7. On receipt of an application under § 32-9-6 and payment of the commercial motor vehicle fee, required by this chapter, and upon satisfactory evidence that the applicant has complied with all laws, rules, and regulations of this state covering motor vehicles and motor carriers, the county treasurer or department shall issue to the applicant a receipt that identifies the motor vehicle, trailer, or semitrailer and shall assign a number to the vehicle. The number shall be endorsed upon the application and receipt. The county treasurer or department shall issue to the applicant a commercial motor vehicle certificate bearing the number. The certificate shall be placed and carried in the vehicle in a conspicuous place and is subject to examination upon demand by any officer of this state, county, or municipality. The county treasurer or department shall issue to the applicant two commercial motor vehicle plates for each motor vehicle. Each county treasurer office shall be

stocked with commercial license plates issued pursuant to this section and commercial trailer license plates issued pursuant to § 32-9-8.1. If the plates are mailed, the applicant shall pay five dollars per license plate or set of plates if the plate is sent to the owner through the mail or one dollar per decal or set of decals if the decal is sent to the owner through the mail. If the applicant requests that the plate or decal be express mailed, the applicant shall pay any costs for the express mailing service. Each plate shall set forth the amount of gross weight in figures, and shall be in colors and designs for each classification specified in § 32-9-15. Each plate shall be securely fastened to the front and rear end of each commercial motor vehicle in a conspicuous place. The county treasurer shall deposit in the county general fund any fees received for mailing or expressing a plate or sticker. All fees received by the department for mailing or expressing of the plates or stickers shall be deposited by the department in the state motor vehicle fund. A violation of this section is a Class 2 misdemeanor.

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I certify that the attached Act
originated in the
HOUSE as Bill No. 1066

Chief Clerk

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Speaker of the House

Attest:

Chief Clerk

President of the Senate

Attest:

Secretary of the Senate

House Bill No. 1066
File No. _____
Chapter No. _____

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Received at this Executive Office
this ____ day of _____,
20__ at _____ M.

By _____
for the Governor

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The attached Act is hereby
approved this _____ day of
_____, A.D., 20__

Governor

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STATE OF SOUTH DAKOTA,
ss.
Office of the Secretary of State

Filed _____, 20__
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State