

# State of South Dakota

NINETY-FIRST SESSION  
LEGISLATIVE ASSEMBLY, 2016

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## SENATE BILL NO. 122

Introduced by: Senators Heinert, Greenfield (Brock), Olson, and Sutton and Representatives Wollmann, Bordeaux, Gibson, Killer, Langer, May, Schoenfish, Soli, and Zikmund

1 FOR AN ACT ENTITLED, An Act to require that fees collected for military specialty license  
2 plates be distributed to county veterans' service officers.

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

4 Section 1. That § 32-5-159 be amended to read:

5 32-5-159. In addition to the noncommercial annual registration and plate fees, each person  
6 receiving military specialty plates shall pay an additional ten dollar fee for the initial issuance  
7 of the military specialty plates. ~~All fees~~ Any fee collected under this section shall be placed in  
8 the license plate special revenue fund transferred to the Department of Veterans Affairs for  
9 distribution to the county veterans' service officer in the county where the military specialty  
10 plates were purchased.

11 Section 2. That § 32-5-160 be amended to read:

12 32-5-160. Notwithstanding § 32-5-159 or any other contrary provisions of §§ 32-5-154 to  
13 32-5-166, inclusive, each veteran receiving the disabled veteran, Prisoner of War, Pearl Harbor  
14 survivor, or Purple Heart military specialty plates shall pay a ten dollar fee for the initial



1 issuance of the military specialty plate and an annual fee of ten dollars for renewal decals, but  
2 is not subject to the annual registration fees assessed pursuant to § 32-5-6 or 32-5-9.

3 Notwithstanding § 32-5-159 or any other contrary provisions of §§ 32-5-154 to 32-5-166,  
4 inclusive, each veteran receiving the Medal of Honor plate may not be assessed annual  
5 registration fees, pursuant to § 32-5-6 or 32-5-9, or any other fees associated with the military  
6 specialty plate or renewal decals.

7 Each veteran receiving a disabled veteran, Prisoner of War, Pearl Harbor survivor, Purple  
8 Heart, or Medal of Honor military specialty plate may get a maximum of two sets of the applied  
9 for military specialty plate. The plates may be placed on any automobile, pickup truck, or van  
10 licensed pursuant to § 32-5-6 or a motorcycle licensed pursuant to § 32-5-9. The veteran may  
11 choose to place one of the two sets of military specialty plates on a noncommercial pickup truck,  
12 which weighs more than six thousand pounds, licensed pursuant to § 32-5-6.3, or a motor home  
13 licensed pursuant to § 32-5-6.1, but shall pay the regular annual registration fees pursuant to  
14 those sections.

15 Any fee collected for military speciality plates pursuant to this section shall be transferred  
16 to the Department of Veterans Affairs for distribution to the county veterans' service officer in  
17 the county where the military speciality plates were purchased.

18 Section 3. That § 32-5-164 be repealed.

19 ~~— 32-5-164. If the ownership of a motor vehicle with a military specialty plate is transferred~~  
20 ~~or assigned, the transferor shall remove the military specialty plates from the vehicle and shall~~  
21 ~~receive a credit for the unexpired time on the registration when the plates are attached to another~~  
22 ~~vehicle. The county treasurer shall process a new registration indicating the motor vehicle to~~  
23 ~~which the military specialty plates are to be transferred and send it to the department. The~~  
24 ~~secretary shall make the necessary changes in the registration system and the credit shall be~~

1 applied. The department shall notify the transferor of any corrections which need to be made.  
2 ~~— No credit may be issued if the military specialty plate is detached and not reattached to~~  
3 ~~another motor vehicle. If the transferor fails to remove the military specialty plates pursuant to~~  
4 ~~this section, the transferor is not entitled to any credit and the plates are no longer valid. A~~  
5 ~~violation of this section is a Class 2 misdemeanor.~~

6 Section 4. That § 32-5-165 be repealed.

7 ~~— 32-5-165. If a motor vehicle with a military specialty plate is destroyed by collision or fire,~~  
8 ~~disposed of for salvage, or if rejected or condemned for use on the highways as the result of~~  
9 ~~action by any inspection authority of this state, the registered owner of the motor vehicle shall~~  
10 ~~remove the military specialty plates from the vehicle and shall receive a credit for the unexpired~~  
11 ~~time on the registration when the plates are attached to another vehicle. The county treasurer~~  
12 ~~shall process a new registration indicating the motor vehicle to which the military specialty~~  
13 ~~plates are to be transferred and send it to the department. The secretary shall make the necessary~~  
14 ~~changes in the registration system and the credit shall be applied. The department shall notify~~  
15 ~~the transferor of any corrections which need to be made. If the military specialty plates were~~  
16 ~~destroyed, the owner shall apply for a replacement set of plates pursuant to § 32-5-67.~~

17 ~~— No credit may be issued if the military specialty plate is detached and not reattached to~~  
18 ~~another motor vehicle. If the owner fails to remove the military specialty plates pursuant to this~~  
19 ~~section, the owner is not entitled to any credit and the plates are no longer valid. A violation of~~  
20 ~~this section is a Class 2 misdemeanor.~~

21 Section 5. That § 32-5-166 be amended to read:

22 32-5-166. If any military specialty plate is lost, mutilated, or destroyed, the owner of the  
23 registered vehicle may obtain a duplicate upon filing an affidavit showing such facts and after  
24 paying a ten dollar fee to the department. The fee shall be credited to the license plate special

1 ~~revenue fund~~ transferred to the Department of Veterans Affairs for distribution to the county  
2 veterans' service officer in the county where the duplicate military speciality plate was  
3 purchased.

4 Section 6. That § 32-5-67 be amended to read:

5 32-5-67. All fees received pursuant to §§ 32-5-42, 32-5-42.2, 32-5-65, and 32-5-65.1, ~~32-5-~~  
6 ~~159, and 32-5-160~~ shall be credited to a fund to be known as the license plate special revenue  
7 fund. The special revenue fund shall be expended for the purchase of special plates required  
8 pursuant to this chapter and the expenses of the office incident to the issuance thereof.  
9 Disbursements from this fund shall be made by warrants drawn by the state auditor on vouchers  
10 duly approved by the secretary.