

# State of South Dakota

EIGHTY-FIFTH SESSION  
LEGISLATIVE ASSEMBLY, 2010

400R0266

## SENATE BILL NO. 36

Introduced by: The Committee on Transportation at the request of the Department of  
Revenue and Regulation

1 FOR AN ACT ENTITLED, An Act to provide for the denial of certain motor carrier  
2 registrations.

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

4 Section 1. That chapter 32-9 be amended by adding thereto a NEW SECTION to read as  
5 follows:

6 The department or its agent shall refuse to issue a registration, license plate, permit, or a  
7 certificate of title or to transfer any title on a vehicle licensed under chapter 32-9 or 32-10 if a  
8 motor carrier fails to disclose material information required, if the motor carrier has made a  
9 materially false statement on the application, or if the motor carrier's business is operated,  
10 managed, or otherwise controlled or affiliated with a person who is ineligible for registration,  
11 including the applicant, owner, relative, corporate officer, or shareholder. The department shall  
12 deny registration for a vehicle assigned to a motor carrier that has been taken out of service by  
13 the Federal Motor Carrier Safety Administration for safety reasons, or a carrier whose business  
14 is operated, managed, or otherwise controlled or affiliated with a person who is ineligible for  
15 registration, including the applicant, owner, relative, corporate officer, or shareholder.



1       The term, relative, as used in this section, means husband, wife, son, daughter, brother,  
2       sister, father, mother, brother-in-law, sister-in-law, father-in-law, mother-in-law, son-in-law, or  
3       daughter-in-law.

4       If the prohibition by the Federal Motor Carrier Safety Administration is rescinded, the  
5       department or its agent may issue a registration, license plate, permit, or a certificate of title to  
6       the vehicle provided all other taxes and fees have been paid to the department.