



2023 South Dakota Legislature

Senate Bill 31

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

1 **An Act to create an off-road vehicle decal for non-residents visiting the state.**

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

3 **Section 1. That § 32-5-107 be AMENDED:**

4 **32-5-107.** A person, in possession of either a title in his name or assigned to him
 5 or a bill of sale which lists him as the purchaser of the vehicle, may procure from any
 6 county treasurer a temporary permit ~~which~~ that allows movement of the motor vehicle on
 7 the highways of this state. The title or bill of sale shall be available for inspection by any
 8 peace officer if the vehicle is being moved. Mobile homes, manufactured housing units,
 9 and over-dimensional motor vehicles do not qualify for this permit to use the state's
 10 highways. The permit may be purchased for any period of from five to fifteen consecutive
 11 days at a fee of one dollar per day for each day the permit is requested. The minimum
 12 permit fee is five dollars. The fee is payable to the county treasurer at the time of
 13 purchase. All permit fees shall be forwarded monthly by the county treasurer to the
 14 ~~Department of Revenue~~ department. The secretary shall credit the fee to the state license
 15 plate special revenue fund for distribution under § 32-11-33. Only one permit ~~shall~~ may
 16 be issued yearly per motor vehicle.

17 No permit may be issued pursuant to this section for the temporary use of an off-
 18 road vehicle on the public highways of this state.

19 **Section 2. That chapter 32-5 be amended with a NEW SECTION:**

20 A non-resident owner of an off-road vehicle not currently registered for on-road
 21 use, that meets the requirements of § 32-20-13 and is brought into the state for
 22 noncommercial use on the public highways of this state, shall purchase a decal. The decal
 23 allows the off-road vehicle to be used on the public highways of this state. The decal is
 24 valid for one year from the date of purchase of the decal. The decal must be attached to

1 the rear of the off-road vehicle in a location easily visible for inspection by any peace
2 officer.

3 **Section 3. That chapter 32-5 be amended with a NEW SECTION:**

4 Application for the decal authorized by section 2 of this Act shall be made to the
5 department or a county treasurer. The application shall be on a form approved by the
6 secretary and contain the names of all owners, each owner's social security number, a
7 description of the off-road vehicle with vehicle identification or serial numbers, and proof
8 of ownership of the off-road vehicle. The application shall be accompanied by a fifty-dollar
9 fee. If the decal is mailed, the applicant shall include the mailing fee imposed pursuant to
10 § 32-5-127.

11 **Section 4. That chapter 32-5 be amended with a NEW SECTION:**

12 If the application required by section 3 of this Act is processed solely by the
13 department, the fee shall be deposited into the state motor vehicle fund. If the application
14 is processed by a county treasurer and reviewed by the department, half of the fee shall
15 be deposited in the state motor vehicle fund and half of the fee shall be deposited into the
16 county general fund.