

## 2023 South Dakota Legislature

**House Bill 1042****AMENDMENT 1042A  
FOR THE INTRODUCED BILL**

1 **An Act to update additional charges allowed for mailing decals and plates and to**  
2 **declare an emergency.**

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

4 **Section 1. That § 32-3A-5.2 be AMENDED:**

5 **32-3A-5.2.** In addition to the registration fee required under § 32-3A-5, the  
6 department or county treasurer shall collect from the owner ~~one dollar~~ two dollarsone  
7 dollar and fifty cents per decal or set of decals ~~plus a one dollar handling fee~~ if a decal is  
8 sent to the owner through the mail. If the applicant requests that a decal be express  
9 mailed, the applicant shall pay the actual cost of postage and handling. ~~Any fees received~~  
10 ~~by the~~ The county treasurer shall deposit any fees for mailing or expressing decals ~~shall~~  
11 ~~be deposited by the treasurer~~ in the county general fund.

12 **Section 2. That § 32-5-127 be AMENDED:**

13 **32-5-127.** In addition to the registration fees required by this chapter, the  
14 department or county treasurer shall collect from the owner ~~one dollar~~ two dollarsone  
15 dollar and fifty cents per decal or set of decals ~~plus a one dollar handling fee when decals~~  
16 ~~are sent to the owner through the mail,~~ and five ~~ten dollars~~ seven dollars and fifty cents  
17 per license plate or set of plates ~~plus a two dollar handling fee~~ when decals and plates are  
18 sent to the owner through the mail.

19 **Section 3. That § 32-6B-21.1 be AMENDED:**

20 **32-6B-21.1.** In addition to the license plate and decal fees assessed in §§ 32-6B-  
21 21, 32-6B-22.1, 32-6B-23, and 32-6B-36.3, the department shall collect from the dealer  
22 ~~one dollar~~ two dollarsone dollar and fifty cents per decal or set of decals or ~~five~~ ten  
23 dollarsseven dollars and fifty cents per license plate or set of plates if a decal or plate is

1 sent to the dealer through the mail. If the dealer requests that the decal or plate be  
2 express mailed, the dealer ~~shall~~ must pay the actual costs of postage and handling.

3 **Section 4. That § 32-6C-7.1 be AMENDED:**

4 **32-6C-7.1.** In addition to the license fees assessed in § 32-6C-7, the department  
5 shall collect from the dealer ~~one dollar~~ two dollars one dollar and fifty cents per decal if a  
6 decal is sent to the dealer through the mail. If the dealer requests that the decal be  
7 express mailed, the dealer ~~shall~~ must pay the actual costs of postage and handling.

8 **Section 5. That § 32-7A-10.1 be AMENDED:**

9 **32-7A-10.1.** In addition to the license fees assessed in § 32-7A-10, the  
10 department shall collect from the dealer ~~one dollar~~ two dollars one dollar and fifty cents  
11 per decal or ~~five~~ ten dollars seven dollars and fifty cents per license plate if a decal or plate  
12 is sent to the dealer through the mail. If the dealer requests that the decal or plate be  
13 express mailed, the dealer ~~shall~~ must pay the actual costs of postage and handling.

14 **Section 6. That § 32-7B-10.1 be AMENDED:**

15 **32-7B-10.1.** In addition to the license fees assessed in § 32-7B-10, the  
16 department shall collect from the dealer ~~one dollar~~ two dollars one dollar and fifty cents  
17 per decal if a decal is sent to the dealer through the mail. If the dealer requests that the  
18 decal be express mailed, the dealer ~~shall~~ must pay the actual costs of postage and  
19 handling.

20 **Section 7. That § 32-9-3.1 be AMENDED:**

21 **32-9-3.1.** Any motor vehicle or trailer owned and operated by a resident or a  
22 nonresident engaged in the harvest of agricultural products may be operated upon the  
23 highways, roads, and streets of this state upon payment of a seventy-five dollar fee.  
24 Payment of the fee ~~shall be~~ is evidenced by a permit provided by the department affixed  
25 in a conspicuous place on the vehicle as the department may require.

26 Each permit, which is valid for a calendar year, ~~shall~~ must be purchased from the  
27 county treasurer of any county through which the owner or operator may travel, or from  
28 an agent, patrol officer, motor carrier enforcement officer, or motor carrier inspector of  
29 the Department of Public Safety. If the applicant requests that the permit be mailed, the  
30 applicant ~~shall~~ must pay ~~one dollar~~ two dollars plus a one dollar handling fee one dollar

1 and fifty cents per permit sent to the owner through the mail. All fees collected shall be  
2 handled, accounted for, and distributed in the same manner as the other fees provided  
3 for in this chapter. A violation of this section is a Class 2 misdemeanor.

4 **Section 8. That § 32-9-7 be AMENDED:**

5 **32-9-7.** On receipt of an application under § 32-9-6 and payment of the  
6 commercial motor vehicle fee, required by this chapter, and upon satisfactory evidence  
7 that the applicant has complied with all laws, rules, and regulations of this state covering  
8 motor vehicles and motor carriers, the county treasurer or department shall issue to the  
9 applicant a receipt that identifies the motor vehicle, trailer, or semitrailer and shall assign  
10 a number to the vehicle. The number shall be endorsed upon the application and receipt.  
11 The county treasurer or department shall issue to the applicant a commercial motor  
12 vehicle certificate bearing the number. The certificate shall be placed and carried in the  
13 vehicle in a conspicuous place and is subject to examination upon demand by any officer  
14 of this state, county, or municipality. The county treasurer or department shall issue to  
15 the applicant two commercial motor vehicle plates for each motor vehicle. Each county  
16 treasurer office shall be stocked with commercial license plates issued pursuant to this  
17 section and commercial trailer license plates issued pursuant to § 32-9-8.1. If the plates  
18 are mailed, the applicant ~~shall~~ must pay five ~~ten dollars~~ seven dollars and fifty cents per  
19 license plate or set of plates ~~plus a two-dollar handling fee~~ if the plate is sent to the owner  
20 through the mail, or one dollar ~~two dollars~~ one dollar and fifty cents per decal or set of  
21 decals ~~plus a one-dollar handling fee~~ if the decal is sent to the owner through the mail. If  
22 the applicant requests that the plate or decal be express mailed, the applicant ~~shall~~ must  
23 pay any costs for the express mailing service. Each plate ~~shall~~ must set forth the amount  
24 of gross weight in figures, and ~~shall~~ be in colors and designs for each classification  
25 specified in § 32-9-15. Each plate ~~shall~~ must be securely fastened to the front and rear  
26 end of each commercial motor vehicle in a conspicuous place. The county treasurer shall  
27 deposit in the county general fund any fees received for mailing or expressing a plate or  
28 sticker. ~~All fees received by the~~ The department shall deposit all fees received for mailing  
29 or expressing ~~of the plates or stickers shall be deposited by the department~~ in the state  
30 motor vehicle fund. A violation of this section is a Class 2 misdemeanor.

31 **Section 9. That § 32-10-17 be AMENDED:**

32 **32-10-17.** The administrator shall register the vehicles described and identified in  
33 an application pursuant to § 32-10-15 and shall issue a license plate or plates, or a vehicle

1 registration card, or other suitable identification device, for each vehicle described in the  
2 application upon payment of the fees for registration and licensing and for the vehicle  
3 registration cards or other identification devices. A fee of three dollars ~~shall~~ must be paid  
4 for each card or device issued for each proportionally registered vehicle. The card ~~shall~~  
5 must, in addition to the information required by chapter 32-5, identify the number of the  
6 license or other device issued for the proportionally registered vehicle and ~~shall~~ must be  
7 carried in the vehicle at all times or, in the case of a combination, in the vehicle supplying  
8 the motive power. For purposes of this section, the operator may provide proof in either  
9 paper or electronic format including a display of an electronic image on an electronic  
10 device. In addition to the registration fees, the department shall collect from the owner  
11 ~~five ten dollars~~ seven dollars and fifty cents per license plate or set of plates when a plate  
12 is sent to the owner through the mail, ~~or one dollar~~ two dollars ~~one dollar and fifty cents~~  
13 per decal or set of decals if a decal is sent to the owner through the mail. If the applicant  
14 requests that the plate or decal be express mailed, the applicant ~~shall~~ must pay any costs  
15 for the express mailing service.

16 **Section 10. That chapter 32-1 be amended with a NEW SECTION:**

17 Mailing fees in chapters 32-3A, 32-5, 32-6B, 32-6C, 32-7A, 32-7B, 32-9, and 32-  
18 10 shall be reviewed by the Legislature every four years.

19 **Section 11.** Whereas, this Act is necessary for the support of the state government and its  
20 existing public institutions, an emergency is hereby declared to exist, and this Act shall be in  
21 full force and effect from and after its passage and approval.