



2023 South Dakota Legislature

House Bill 1042

HOUSE TRANSPORTATION ENGROSSED

Introduced by: **Representative Ernie Otten**

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~~ one dollar and fifty
 7 cents per decal or set of decals if a decal is sent to the owner through the mail. If the
 8 applicant requests that a decal be express mailed, the applicant shall pay the actual cost
 9 of postage and handling. ~~Any fees received by the~~ The county treasurer shall deposit any
 10 fees for mailing or expressing decals ~~shall be deposited by the treasurer~~ in the county
 11 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~~ one dollar and fifty
 15 cents per decal or set of decals and ~~five dollars~~ seven dollars and fifty cents per license
 16 plate or set of plates when ~~decals and plates~~ are sent to the owner through the mail.

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

18 **32-6B-21.1.** In addition to the license plate and decal fees assessed in §§ 32-6B-
 19 21, 32-6B-22.1, 32-6B-23, and 32-6B-36.3, the department shall collect from the dealer
 20 ~~one dollar~~ one dollar and fifty cents per decal or set of decals or ~~five dollars~~ seven dollars
 21 and fifty cents per license plate or set of plates if a decal or plate is sent to the dealer
 22 through the mail. If the dealer requests that the decal or plate be express mailed, the
 23 dealer ~~shall~~ must pay the actual costs of postage and handling.

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

2 **32-6C-7.1.** In addition to the license fees assessed in § 32-6C-7, the department
3 shall collect from the dealer ~~one dollar~~ one dollar and fifty cents per decal if a decal is sent
4 to the dealer through the mail. If the dealer requests that the decal be express mailed,
5 the dealer ~~shall~~ must pay the actual costs of postage and handling.

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

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

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

13 **32-7B-10.1.** In addition to the license fees assessed in § 32-7B-10, the
14 department shall collect from the dealer ~~one dollar~~ one dollar and fifty cents per decal if a
15 decal is sent to the dealer through the mail. If the dealer requests that the decal be
16 express mailed, the dealer ~~shall~~ must pay the actual costs of postage and handling.

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

18 **32-9-3.1.** Any motor vehicle or trailer owned and operated by a resident or a
19 nonresident engaged in the harvest of agricultural products may be operated upon the
20 highways, roads, and streets of this state upon payment of a seventy-five dollar fee.
21 Payment of the fee ~~shall be~~ is evidenced by a permit provided by the department affixed
22 in a conspicuous place on the vehicle as the department may require.

23 Each permit, which is valid for a calendar year, ~~shall~~ must be purchased from the
24 county treasurer of any county through which the owner or operator may travel, or from
25 an agent, patrol officer, motor carrier enforcement officer, or motor carrier inspector of
26 the Department of Public Safety. If the applicant requests that the permit be mailed, the
27 applicant ~~shall~~ must pay ~~one dollar~~ one dollar and fifty cents per permit sent to the owner
28 through the mail. All fees collected shall be handled, accounted for, and distributed in the
29 same manner as the other fees provided for in this chapter. A violation of this section is a
30 Class 2 misdemeanor.

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

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

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

29 **32-10-17.** The administrator shall register the vehicles described and identified in
 30 an application pursuant to § 32-10-15 and shall issue a license plate or plates, or a vehicle
 31 registration card, or other suitable identification device, for each vehicle described in the
 32 application upon payment of the fees for registration and licensing and for the vehicle
 33 registration cards or other identification devices. A fee of three dollars ~~shall~~ must be paid

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

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

14 Mailing fees in chapters 32-3A, 32-5, 32-6B, 32-6C, 32-7A, 32-7B, 32-9, and 32-
15 10 shall be reviewed by the Legislature every four years.

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