



## 2025 South Dakota Legislature

# Senate Bill 184

Introduced by: **Senator Hohn**

1 **An Act to repeal existing aircraft registration fees and establish a new schedule of**  
2 **aircraft registration fees.**

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

4 **Section 1. That a NEW SECTION be added to chapter 50-11:**

5 To register an aircraft, the registrant must pay the annual fee established by this  
6 section in accordance with the following aircraft types:

7 (1) For Type 0, which is a glider, ultralight, gyrocopter, balloon, antique aircraft, or  
8 aircraft over forty years old, the fee is fifty dollars;

9 (2) For Type 1, which is a single-engine aircraft powered by an electric motor or having  
10 a piston engine design and two hundred horsepower or less, and utilizing fixed  
11 landing gear, the fee is eighty dollars;

12 (3) For Type 2, which is a single-engine aircraft, with a piston engine design and more  
13 than two hundred horsepower, and utilizing fixed landing gear, the fee is one  
14 hundred ten dollars;

15 (4) For Type 3, which is a single-engine aircraft, with a piston engine design and two  
16 hundred horsepower or less, and utilizing retractable landing gear, the fee is one  
17 hundred forty dollars;

18 (5) For Type 4, which is a single-engine aircraft, with a piston engine design and more  
19 than two hundred horsepower, and utilizing retractable landing gear, the fee is one  
20 hundred seventy dollars;

21 (6) For Type 5, which is a multiple-engine piston aircraft, the fee is four hundred  
22 dollars;

23 (7) For Type 6, which is a helicopter powered by a single piston engine or multiple  
24 piston engines, the fee is five hundred dollars;

25 (8) For Type 7, which is a single-engine propeller jet with a fixed wing, or a helicopter  
26 with a turboshaft engine, the fee is six hundred dollars;

1 (9) For Type 8, which is a multiple-engine propeller jet with a fixed wing, or a helicopter  
 2 with a turboshaft engine, the fee is eight hundred dollars; and

3 (10) For Type 9, which is any single-engine or multiple-engine aircraft with a jet engine,  
 4 a turbofan engine, or a turbojet engine, the fee is twelve hundred dollars.

5 The fees in this section are subject to the provisions of §§ 50-11-15 and 50-11-  
 6 16.

7 Failure to pay the required registration fee is a Class 2 misdemeanor.

8 **Section 2. That § 50-11-15 be AMENDED:**

9 **50-11-15.** The fee for registering any ~~theretofore~~ unregistered aircraft purchased  
 10 on or after July first of any year ~~shall be~~ is one-half the amount prescribed by ~~§ 50-11-12~~  
 11 section 1 of this Act and, as to ~~such~~ aircraft purchased on or after October first of any  
 12 year, one-fourth of ~~such~~ the prescribed amount.

13 **Section 3. That § 50-11-35 be AMENDED:**

14 **50-11-35.** For aircraft leased for thirty-six calendar months or less, the original  
 15 registration tax of four percent, as required under § 50-11-19, applies only to the  
 16 scheduled lease payments, excluding fuel, routine maintenance, insurance, and crew, and  
 17 ~~shall~~ must be paid by the lessee at the time payments are made to the lessor. For aircraft  
 18 leased for more than thirty-six calendar months, by multiple short-term agreements or a  
 19 long-term agreement, the original registration tax under § 50-11-19 ~~shall~~ must be  
 20 assessed on the market value of the aircraft at the time registration is due, as stated in  
 21 the aircraft bluebook and price digest. The owner of the aircraft must pay the original  
 22 registration tax. ~~shall be paid by the owner of the aircraft. A~~

23 The lessee must provide a copy of the lease agreement ~~shall be provided~~ to the  
 24 department with the application for registration. If the lessee purchases the aircraft during  
 25 the lease, ~~any amount paid to the department~~ must credit any amount paid for registration  
 26 taxes under this chapter ~~shall be credited~~ to taxes required under § 50-11-19. The annual  
 27 registration fee required under ~~§§ 50-11-12 and 50-11-14~~ section 1 of this Act applies for  
 28 each aircraft under lease.

29 **Section 4. That § 50-12-7 be AMENDED:**

30 **50-12-7.** Upon the sale of any aircraft bearing an aircraft dealer's certificate, the  
 31 dealer shall comply with §§ 50-11-22 and 50-11-23. If possession of an aircraft is

1 transferred to a new owner, the dealer ~~shall~~ must deliver the aircraft dealer's certificate  
2 and sales affidavit to the department. The department shall hold the certificate until an  
3 application is received from the dealer for transfer to another aircraft.

4 Any person who makes a false statement of a material fact on a sales affidavit  
5 under this section is guilty of a Class 1 misdemeanor.

6 Failure to report aircraft purchases and sales, as required under this chapter, is  
7 punishable by a civil penalty equal to the annual registration fee, as provided in ~~§ 50-11-~~  
8 ~~12 section 1 of this Act. A civil penalty imposed~~ The department may impose the civil  
9 penalty allowed under this section shall be deposited and shall forward any penalty  
10 collected to the state treasurer, for deposit into the aeronautics fund.

11 **Section 5. That § 50-12-9 be AMENDED:**

12 **50-12-9.** Any aircraft subject to registration under an aircraft dealer's certificate,  
13 for a period exceeding twenty-four months ~~shall,~~ must be registered in accordance with  
14 ~~§§ 50-11-12 section 1 of this Act and § 50-11-19.~~

15 **Section 6. That § 50-11-12 be REPEALED.**

16 There shall be paid to the ~~secretary of transportation at the time of the registration~~  
17 ~~of an aircraft an annual registration fee for each such aircraft based upon its maximum~~  
18 ~~permissible take-off weight to be computed as follows:~~

19	Weight in Pounds	Rate
20	<del>0</del> <del>to</del> <del>1,500</del>	<del>\$ 25</del>
21	<del>1,501</del> <del>to</del> <del>2,000</del>	<del>40</del>
22	<del>2,001</del> <del>to</del> <del>3,000</del>	<del>55</del>
23	<del>3,001</del> <del>to</del> <del>4,000</del>	<del>70</del>
24	<del>4,001</del> <del>to</del> <del>5,000</del>	<del>85</del>
25	<del>5,001</del> <del>to</del> <del>6,000</del>	<del>100</del>
26	<del>6,001</del> <del>to</del> <del>10,000</del>	<del>125</del>
27	<del>10,001</del> <del>to</del> <del>12,499</del>	<del>150</del>
28	<del>12,500</del> <del>to</del> <del>15,000</del>	<del>200</del>
29	<del>15,001 and over</del>	<del>300</del>

1           ~~The fees in this section are subject to the provisions of §§ 50-11-14 to 50-11-17,~~  
2           ~~inclusive. Failure to pay the fees is a Class 2 misdemeanor.~~

3           **Section 7. That § 50-11-14 be REPEALED.**

4           ~~If any aircraft, according to the manufacturer's records as to date of manufacture,~~  
5           ~~was ten years old or more on January first of the year for which registration and fee is~~  
6           ~~required, the fee required by § 50-11-12 shall be one half of the fee ordinarily prescribed.~~

7           **Section 8. That § 50-11-17 be REPEALED.**

8           ~~No aircraft may be registered for an annual registration, or any part thereof, for a~~  
9           ~~fee of less than ten dollars.~~