



2025 South Dakota Legislature

Senate Bill 209

Introduced by: **Senator Hohn**

1 **An Act to modify aircraft registration fees and to provide a penalty therefor.**

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

3 **Section 1. That § 50-11-12 be AMENDED:**

4 **50-11-12.** ~~There shall be paid~~A person must pay to the secretary of
 5 transportation, at the time of ~~the registration of~~registering an aircraft, an annual
 6 registration fee for ~~each such~~the aircraft based upon its maximum permissible take-off
 7 weight, to be computed as follows:

8	Weight in Pounds	Rate
9	0 B 1,500	\$ 25 <u>50</u>
10	1,501 B 2,000	40 <u>80</u>
11	2,001 B 3,000	55 <u>110</u>
12	3,001 B 4,000	70 <u>140</u>
13	4,001 B 5,000	85 <u>170</u>
14	5,001 B 6,000	100 <u>300</u>
15	6,001 B 10,000	125 <u>375</u>
16	10,001 B 12,499	150 <u>450</u>
17	12,500 B 15,000	200 <u>600</u>
18	15,001 and over	300 <u>900</u>

19 The fees in this section are subject to the provisions of ~~§§ 50-11-14 to 50-11-17,~~
 20 inclusive §§ 50-11-15 and 50-11-16. Failure to pay the fees is a Class 2 misdemeanor.

21 **Section 2. That § 50-11-35 be AMENDED:**

1 **50-11-35.** For aircraft leased for thirty-six calendar months or less, the original
2 registration tax of four percent, as required under § 50-11-19, applies only to the
3 scheduled lease payments, excluding fuel, routine maintenance, insurance, and crew, and
4 ~~shall~~ must be paid by the lessee at the time payments are made to the lessor. For aircraft
5 leased for more than thirty-six calendar months, by multiple short-term agreements or a
6 long-term agreement, the original registration tax under § 50-11-19 ~~shall be~~ is assessed
7 on the market value of the aircraft, as stated in the aircraft bluebook and digest, at the
8 time registration is due ~~as stated in the aircraft bluebook and price digest~~. ~~The original~~
9 ~~registration tax shall be paid by the~~ The owner of the aircraft must pay the original
10 registration tax. A copy of the lease agreement ~~shall~~ must be provided to the department
11 with the application for registration. If the lessee purchases the aircraft during the lease,
12 any amount paid to the department for registration taxes under this chapter ~~shall~~ must
13 be credited to taxes required under § 50-11-19. The annual registration fee required under
14 ~~§§ 50-11-12 and 50-11-14~~ § 50-11-12 applies for each aircraft under lease.

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 That § 50-11-14 be REPEALED.**

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

19 **Section 4. That § 50-11-17 be REPEALED.**

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