



2025 South Dakota Legislature
Senate Bill 75
ENROLLED

AN ACT

ENTITLED An Act to require an indication of United States citizenship status on a motor vehicle operator's license or permit, and on a nondriver identification card.

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

Section 1. That § 32-12-17.10 be AMENDED:

32-12-17.10. An operator's license, motorcycle operator's license, restricted minor's permit, motorcycle restricted minor's permit, instruction permit, and motorcycle instruction permit must bear:

- (1) A distinguishing number assigned to the licensee;
- (2) The full legal name or any name lawfully taken;
- (3) The holder's date of birth;
- (4) The holder's sex;
- (5) The holder's principal residence address;
- (6) An indication if the licensee is a donor pursuant to chapter 34-26;
- (7) An indication if the licensee has a living will pursuant to chapter 34-12D or a durable power of attorney for health care pursuant to chapter 59-7;
- (8) An indication if the licensee is a veteran pursuant to the provisions of § 32-12-17.15;
- (9) A full facial digital photograph;
- (10) A brief description of the licensee;
- (11) The licensee's signature;
- (12) Security features designed to deter forgery and counterfeiting, to promote an adequate level of confidence in the authenticity of the cards, and to facilitate detection of fraudulent cards;
- (13) The issue date of the license;
- (14) The expiration date of the license;

- (15) An indication that the license is temporary or for a limited term if the holder has temporary lawful status in the United States;
- (16) An indication if the holder is a United States citizen;
- (17) The name of this state;
- (18) A security marking approved by the United States Department of Homeland Security reflecting the level of compliance with 6 C.F.R. Part 37 (January 1, 2015); and
- (19) An indication of the general class of vehicles that the licensee may drive.

The back of the license must contain a barcode. The department shall include in the barcode the name of this state, the information printed on the license, the card design revision date indicating the most recent change or modification to the visible format of the card, and an indicator if the license is temporary or limited term. No barcode, or other means by which information may be retrieved electronically, may contain the licensee's social security number.

Section 2. That § 32-12-17.2 be AMENDED:

32-12-17.2. The Department of Public Safety may issue upon application a nondriver identification card, similar in form but distinguishable in color from a driver license, to any resident of this state. Each applicant for a nondriver identification card shall, as part of the application, present to the department a certified copy of a certificate of birth or another form of evidence of date of birth and identity as allowed by § 32-12-3.1.

Except as provided in § 32-12-17.16, the fees for a nondriver identification card are the same as prescribed for a driver license in § 32-12-16. Each nondriver identification card expires on the holder's birthday in the fifth year following the issuance of the nondriver identification card, or on the date of expiration of the applicant's authorized stay in the United States as determined by the systematic alien verification for entitlements system or alternate method approved by the United States Department of Homeland Security or, if there is no expiration date, for a period no longer than one year from date of issuance, whichever occurs first. Each nondriver identification card is renewable one hundred eighty days before its expiration upon application and payment of the required fee. Any nondriver identification card renewed before its expiration expires five years after the holder's ensuing birthday, or on the date of expiration of the applicant's authorized stay in the United States as determined by the systematic alien verification for entitlements system or alternate method approved by the United States Department of

Homeland Security or, if there is no expiration date, for a period no longer than one year from date of issuance, whichever occurs first.

The nondriver identification card must bear an indication if the holder:

- (1) Has a living will pursuant to chapter 34-12D or a durable power of attorney for health care pursuant to chapter 59-7;
- (2) Is a veteran pursuant to the provisions of § 32-12-17.15; and
- (3) Is a United States citizen.

Any nondriver identification card renewed during the thirty-day period following the date of expiration expires five years from the holder's previous birthday, or on the date of expiration of the applicant's authorized stay in the United States as determined by the systematic alien verification for entitlements system or alternate method approved by the United States Department of Homeland Security or, if there is no expiration date, for a period no longer than one year from date of issuance, whichever occurs first.

An Act to require an indication of United States citizenship status on a motor vehicle operator's license or permit, and on a nondriver identification card.

I certify that the attached Act originated in
the:
Senate as Bill No. 75

Received at this Executive Office
this ____ day of _____,
2025 at _____ M.

Secretary of the Senate

By _____
for the Governor

President of the Senate

The attached Act is hereby
approved this ____ day of
_____, A.D., 2025

Attest:

Secretary of the Senate

Governor

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

Speaker of the House

Attest:

Filed _____, 2025
at _____ o'clock __ M.

Chief Clerk

Secretary of State

Senate Bill No. 75
File No. _____
Chapter No. _____

By _____
Asst. Secretary of State