



## 2026 South Dakota Legislature

# House Bill 1079

Introduced by: **Representative Sjaarda**

1 **An Act to revise the conditions for denial or restriction of a motor vehicle or**  
 2 **motorcycle operator license or permit if an individual has a medical condition**  
 3 **that can be controlled under the care of a physician.**

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

5 **Section 1. That § 32-12-5.1 be AMENDED:**

6 **32-12-5.1.** The Department of Public Safety may deny the issuance of a motor  
 7 vehicle operator's license, motorcycle operator's license, restricted minor's permit,  
 8 motorcycle restricted minor's permit, instruction permit, or motorcycle instruction permit  
 9 ~~to any individual who has experienced convulsions, seizures, or blackouts, until the~~  
 10 ~~individual has experienced a period of twelve months without any such episode. However,~~  
 11 ~~upon~~ only if the applicant has been diagnosed, by a licensed physician, as having a chronic  
 12 medical condition that could interfere with the operation of a motor vehicle. Any person  
 13 with a physical condition that would detract from the ability to safely operate a motor  
 14 vehicle must show, through examination by a personal physician, that the person has the  
 15 ability to do so. Upon receipt of a statement signed by the applicant that the applicant's  
 16 condition is adequately controlled ~~by medication, the applicant is continuing to take~~  
 17 ~~medication~~, and the applicant is under the care of a physician, the Department of Public  
 18 Safety may issue a temporary permit to the applicant. This temporary permit is subject  
 19 to the provisions of § 32-12-36 ~~and is reviewable by the department every six months, or~~  
 20 ~~until the applicant has gone a period of twelve months without any episode.~~

21 If the department has reasonable grounds to believe that an applicant's condition  
 22 may affect the safe operation of a motor vehicle or motorcycle, the department may  
 23 require the applicant to submit to the department a medical examination or physician's  
 24 certification attesting to the applicant's fitness to operate a motor vehicle in order to  
 25 receive the temporary permit.