

2026 South Dakota Legislature

House Bill 1079**AMENDMENT 1079C
FOR THE INTRODUCED BILL**

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 licensed health care**
4 **practitioner.**

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

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

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

22 If the ~~department~~ Department of Public Safety has reasonable grounds to believe
23 that an applicant's ~~medical~~ condition may affect the safe operation of a motor vehicle or
24 motorcycle, the ~~department~~ department may require the applicant to submit to the
25 department ~~the results of~~ a medical examination or ~~physician's~~ a licensed health care

1 practitioner's certification attesting to the applicant's fitness to operate a motor vehicle~~-in~~
2 order to receive the temporary permit.

3 The department may deny the issuance of a motor vehicle operator's license,
4 motorcycle operator's license, restricted minor's permit, motorcycle restricted minor's
5 permit, instruction permit, or motorcycle instruction permit only if the applicant has been
6 diagnosed, by a licensed health care practitioner, as having a chronic medical condition
7 that could interfere with the operation of a motor vehicle.

8 Any person with a physical condition that would detract from the ability to safely
9 operate a motor vehicle must show, through examination by a licensed health care
10 practitioner, that the person has the ability to do so. Upon receipt of a statement signed
11 by the licensed health care practitioner that the applicant is under the practitioner's care,
12 and that the condition is adequately controlled, the department may issue the license or
13 permit to the applicant.

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