



2026 South Dakota Legislature
Senate Bill 23
ENROLLED

AN ACT

ENTITLED An Act to include certain types of vehicles in the unpaid repair bill titling process.

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

Section 1. That § 32-3-67 be AMENDED:

32-3-67. The department shall provide a person that has possession of a motor vehicle, boat as defined in § 32-3A-2, moped, motorcycle, off-road vehicle as defined in § 32-20-1, snowmobile as defined in § 32-20A-1, or trailer, as the result of an unpaid repair bill, with the last known name and address of the record holder of title and any readily identifiable lien holders free of charge.

Section 2. That § 32-3-68 be AMENDED:

32-3-68. A person with possession of a vehicle described in § 32-3-67 may apply for a title on any motor vehicle, boat as defined in § 32-3A-2, moped, motorcycle, off-road vehicle as defined in § 32-20-1, snowmobile as defined in § 32-20A-1, or trailer, that is left unclaimed as the result of an unpaid repair bill, by its owner or person lawfully in possession thereof, on private property for a period of thirty days after written notice of intent to apply for a title is sent to the owner at the owner's last known address and to any readily identifiable insurer or lien holder by certified mail. The notice must set forth the location where the vehicle is being kept, the circumstances surrounding acquisition of the vehicle, and the year, make, model, and serial number or hull identification number of the vehicle. The notice must inform the owner, insurer, and any lien holder of the right to reclaim the vehicle as provided by § 32-3-69. The notice must be on a form provided by the department.

If it is impossible to determine with reasonable certainty the identity and address of the registered owner, insurer, and any lien holder, a notice must be published once in

a newspaper of general circulation in the area where the vehicle was left for repair. Published notices may be grouped together for convenience and economy.

Section 3. That § 32-3-69 be AMENDED:

32-3-69. Except as provided below, title to any motor vehicle, boat as defined in § 32-3A-2, moped, motorcycle, off-road vehicle as defined in § 32-20-1, snowmobile as defined in § 32-20A-1, or trailer, vests with the person to whom the unpaid repair bill is payable and who has complied with the provisions of this chapter in notifying the owner and all insurers and lien holders of their rights to reclaim the vehicle after a period of thirty days from the date on which notice was sent to the owner and all insurers and lien holders. The owner, insurer, or the lienholder may reclaim the vehicle by paying any reasonable cost of repair. A lienholder paying the cost of repair may add the cost of repair to the outstanding loan secured by the vehicle. The owner, insurer, or lien holder shall notify the department and the repair facility within thirty days of receipt of the notice of their intent to reclaim the vehicle. If the owner, insurer, or lien holder fails to claim and remove the vehicle within thirty days after mailing of the notice of intent to reclaim the vehicle, title to the vehicle is irrevocably vested in the person to whom the repair bill is payable and who has complied with the provisions of this chapter.

The vehicle must be sold at public auction pursuant to §§ 21-54-5, 21-54-7, and 21-54-10, and any excess moneys above settlement of the debt must be forwarded to the prior owner, insurer, and any other party with a legal interest in the vehicle. If the owner, insurer, and any lien holder are unidentifiable or not able to be contacted, the excess moneys must be sent to the state treasurer and treated as unclaimed property pursuant to chapter 43-41B.

An Act to include certain types of vehicles in the unpaid repair bill titling process.

I certify that the attached Act originated in
the:
Senate as Bill No. 23

Received at this Executive Office
this ____ day of _____,
2026 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., 2026

Attest:

Secretary of the Senate

Governor

STATE OF SOUTH DAKOTA,

Office of the Secretary of State

ss.

Speaker of the House

Attest:

Filed _____, 2026
at _____ o'clock __ M.

Chief Clerk of the House

Secretary of State

Senate Bill No. 23
File No. _____
Chapter No. _____

By _____
Asst. Secretary of State