



2026 South Dakota Legislature
House Bill 1104
ENROLLED

AN ACT

ENTITLED An Act to revise the application requirements for special license plates and parking permits for individuals with disabilities.

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

Section 1. That § 32-5-76 be AMENDED:

32-5-76. An owner of a motor vehicle, who is a resident of this state, who has complied with all the laws of this state in regards to the registration of a motor vehicle, and who operates or directs the operation of the vehicle, may submit to the county treasurer an application, on a form approved by the secretary, containing a certification signed by any physician, physician assistant, chiropractor, physical therapist, or certified nurse practitioner, licensed under title 36, stating that the applicant is an individual with a substantial physical disability that makes it impossible or causes substantial hardship to walk. The certification must be within the practitioner's applicable scope of practice.

An owner of a motor vehicle, who is a resident of this state, who has complied with all the laws of this state in regards to the registration of a motor vehicle, and who is the parent or legal guardian of a dependent with a substantial physical disability and operates the motor vehicle for the purpose of transporting the dependent, may submit to the county treasurer an application, on a form approved by the secretary, containing a certification signed by any physician, physician assistant, chiropractor, physical therapist, or certified nurse practitioner, licensed under title 36, stating that the dependent has a substantial physical disability that makes it impossible or causes substantial hardship to walk. The certification must be within the practitioner's applicable scope of practice.

The secretary shall promulgate a rule, pursuant to chapter 1-26, defining an individual with a substantial physical disability.

If the secretary determines that the applicant meets the criteria, the department must issue and deliver to the applicant special plates with letters, numbers, or symbols, or any combination thereof, as the secretary may prescribe. The special plates must be

designed to readily apprise law enforcement officers of the fact that the motor vehicle is owned by, operated by, or used in transporting an individual with a substantial physical disability. No charge may be made for the issuance of the special plates.

The special plates are in lieu of the regular number plates issued for the motor vehicle. The special plates must be displayed as set forth in § 32-5-98.

If the applicant is no longer an individual with or the parent or legal guardian of a dependent with a substantial physical disability, or is deceased, the special plates must be surrendered within thirty days, to the county treasurer of the applicant's residence. The treasurer shall notify the secretary who shall make the necessary changes in the registration file. The owner shall obtain regular number plates. Failure to surrender the special license plates as required by this section is a Class 2 misdemeanor. It is a Class 1 misdemeanor to submit a false or fraudulent application.

Section 2. That § 32-5-76.1 be AMENDED:

32-5-76.1. Any individual who is a resident of this state with a substantial physical disability that makes it impossible or causes substantial hardship to walk may be issued a portable, serially numbered certificate by the secretary, which permits the person or the operator of a vehicle being used in transporting the person to park without time limitation pursuant to § 32-30-11.1 and to park in any space reserved for an individual with a physical disability. The individual shall submit an application, on forms approved by the secretary, containing a certification signed by any physician, physician assistant, chiropractor, physical therapist, or certified nurse practitioner, licensed under title 36, stating that the applicant meets the criteria established by this section. The certification must be within the practitioner's applicable scope of practice. The forms must be submitted through the county treasurer's office. If the secretary determines that the applicant meets the criteria, the secretary must issue a portable certificate to the applicant.

The secretary shall promulgate rules, pursuant to chapter 1-26, governing the application for, term of, and conditions under which certificates may be issued.

If the applicant is no longer an individual with a physical disability or is deceased, the portable certificate must be surrendered to the county treasurer of the applicant's residence within thirty days. The treasurer shall notify the secretary who shall make the necessary changes in the file.

Failure to surrender the portable certificate as required by this section is a Class 2 misdemeanor. It is a Class 1 misdemeanor to submit a false or fraudulent application or to alter the portable certificate.

An Act to revise the application requirements for special license plates and parking permits for individuals with disabilities.

I certify that the attached Act originated in
the:
House as Bill No. 1104

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

Chief Clerk of the House

By _____
for the Governor

Speaker of the House

The attached Act is hereby
approved this ____ day of
_____, A.D., 2026

Attest:

Chief Clerk of the House

Governor

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

President of the Senate

Attest:

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

Secretary of the Senate

Secretary of State

House Bill No. 1104
File No. _____
Chapter No. _____

By _____
Asst. Secretary of State