

State of South Dakota

NINETY-FIRST SESSION
LEGISLATIVE ASSEMBLY, 2016

947X0159

HOUSE TRANSPORTATION

ENGROSSED NO. **HB 1164** - 02/09/2016

This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsor.

Introduced by: Representatives Zikmund, Anderson, Bartling, Beal, Bolin, Brunner, Campbell, Conzet, Craig, Cronin, Deutsch, DiSanto, Dryden, Duvall, Gibson, Gosch, Greenfield (Lana), Haggar (Don), Harrison, Haugaard, Hawks, Hawley, Heinemann (Leslie), Holmes, Hunhoff (Jean), Jensen (Alex), Johns, Killer, Kirschman, Klumb, Langer, Latterell, Marty, May, McCleerey, Mickelson, Munsterman, Novstrup (Al), Otten (Herman), Partridge, Peterson (Kent), Qualm, Rasmussen, Ring, Romkema, Rozum, Russell, Schaefer, Schoenbeck, Schoenfish, Schrempp, Solum, Stalzer, Steinhauer, Stevens, Tulson, Verchio, Werner, Westra, Wiik, and Wollmann and Senators Greenfield (Brock), Bradford, Brown, Curd, Ewing, Fiegen, Frerichs, Haggar (Jenna), Heineman (Phyllis), Heinert, Holien, Jensen (Phil), Monroe, Novstrup (David), Olson, Otten (Ernie), Parsley, Peterson (Jim), Rampelberg, Shorma, Soholt, Sutton, and Van Gerpen

1 FOR AN ACT ENTITLED, An Act to provide for a special interest motor vehicle license plate
2 for certain vehicles under certain conditions.

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

4 Section 1. That chapter 32-5 be amended by adding a NEW SECTION to read:

5 Any person who is a resident of this state and is the owner of a special interest motor vehicle
6 may apply to the county treasurer of the applicant's county of residence for a special interest
7 motor vehicle license plate. The application shall be on a form prescribed by the secretary and
8 is in addition to any other forms required by this chapter. The applicant shall meet all of the



1 requirements in section 4 of this Act and pay any applicable fees in order to receive a special
2 interest motor vehicle license plate.

3 For purposes of this Act, a special interest motor vehicle is a vehicle that is collected,
4 preserved, restored, or maintained by the owner as a leisure pursuit and is not used for general
5 or commercial transportation. The special interest motor vehicle license plate may be placed on
6 any automobile, pickup, truck, or van licensed pursuant to § 32-5-6 that qualifies as a special
7 interest motor vehicle.

8 Section 2. That chapter 32-5 be amended by adding a NEW SECTION to read:

9 The special interest motor vehicle plate shall be issued in place of the regular plates issued
10 pursuant to § 32-5-85. The special interest motor vehicle plate shall be numbered and designed
11 by the secretary to be visibly distinct from regular noncommercial license plates. The special
12 interest motor vehicle plate shall be reflectorized and validated with a decal each year in the
13 same manner as noncommercial license plates. Notwithstanding the requirements of § 32-5-98,
14 a vehicle for which a special interest motor vehicle license plate is issued is not required to
15 display a number plate on the front of the vehicle. The special interest motor vehicle license
16 plate shall be securely fastened to the rear of the special interest motor vehicle in a horizontal
17 and upright position.

18 Section 3. That chapter 32-5 be amended by adding a NEW SECTION to read:

19 In addition to the noncommercial annual registration fees, each applicant for a special
20 interest motor vehicle license plate shall pay an annual twenty-five dollar fee. All fees collected
21 pursuant to this section shall be credited to the license plate special revenue fund.

22 Section 4. That chapter 32-5 be amended by adding a NEW SECTION to read:

23 An application for a special interest motor vehicle license plate, as provided for in section
24 1 of this Act, shall include a signed affidavit wherein the applicant attests to the following:

- 1 (1) The motor vehicle for which the special interest motor vehicle license plate is sought
2 is driven less than six thousand miles per year;
- 3 (2) The motor vehicle for which the special interest motor vehicle license plate is sought
4 is not used for general or commercial transportation, but rather for occasional
5 transportation, public displays, parades, and related pleasure or hobby activities; and
- 6 (3) The current reading on the odometer of the special interest motor vehicle.

7 The secretary may, at any time, require an applicant to provide additional information to
8 determine if the applicant meets the special interest motor vehicle license plate requirements.

9 An applicant shall annually, at the time of registration renewal, submit the current odometer
10 reading of the special interest motor vehicle. If an applicant fails to provide this information the
11 registration may not be renewed.

12 Section 5. That chapter 32-5 be amended by adding a NEW SECTION to read:

13 If an applicant misuses the special interest motor vehicle license plate by not adhering to the
14 special interest motor vehicle license plate requirements, that applicant shall surrender to the
15 department all special interest motor vehicle license plates in his or her possession and is not
16 eligible for a special interest motor vehicle plate for a period of three years.

17 Section 6. That § 32-5-67 be amended to read:

18 32-5-67. All fees received pursuant to §§ 32-5-42, 32-5-42.2, 32-5-65, 32-5-65.1, 32-5-159,
19 ~~and~~ 32-5-160, and this Act shall be credited to a fund to be known as the license plate special
20 revenue fund. The special revenue fund shall be expended for the purchase of special plates
21 required pursuant to this chapter and the expenses of the office incident to the issuance thereof.
22 Disbursements from this fund shall be made by warrants drawn by the state auditor on vouchers
23 duly approved by the secretary.