



2020 South Dakota Legislature

Senate Bill 70

HOUSE ENGROSSED

Introduced by: **Senator V. J. Smith**

1 **An Act to authorize the use of Spanish in obtaining certain driver licenses and**
 2 **permits.**

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

4 **Section 1.** That § 1-27-22 be AMENDED:

5 **1-27-22. Application of English as common language requirement.**

6 The provisions of §§ 1-27-20 to 1-27-25, inclusive, do not apply:

- 7 (1) To instruction in foreign language courses;
- 8 (2) To instruction designed to aid students with limited English proficiency in a timely
 9 transition and integration into the general education system;
- 10 (3) To the application, preparation materials, and examination for any noncommercial
 11 driver license or permit;
- 12 (4) To the conduct of international commerce, tourism, and sporting events;
- 13 ~~(4)~~(5) When deemed to interfere with needs of the justice system;
- 14 ~~(5)~~(6) When the public safety, health, or emergency services require the use of other
 15 languages; and
- 16 ~~(6)~~(7) When expert testimony, witnesses, or speakers require a language other than the
 17 common language. However, for purposes of deliberation, decision making, or
 18 record keeping, the official version of such testimony or commentary shall be the
 19 officially translated English language version.

20 **Section 2.** That a NEW SECTION be added:

21 **32-12-127. License applications and examination materials--Language.**

22 For noncommercial driver licenses and permits, the Department of Public Safety
 23 shall:

- 24 (1) Provide the applications in Spanish and English;
- 25 (2) Provide the examination materials in Spanish and English; and

- 1 (3) Allow an applicant to take the written knowledge test in Spanish or English.
- 2 Any instructions given to the applicant during the driving test must be administered
- 3 in English.
- 4 **Section 3.** Section 2 of this Act is effective on January 1, 2021.