

State of South Dakota

EIGHTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 2009

455Q0058

HOUSE TRANSPORTATION ENGROSSED NO. **HB 1007** - 2/19/2009

Introduced by: Representatives Olson (Ryan), Krebs, Noem, Putnam, and Rausch and
Senator Vehle at the request of the Interim Committee on South Dakota
Highway Needs and Financing

1 FOR AN ACT ENTITLED, An Act to increase certain noncommercial and commercial motor
2 vehicle license fees.

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

4 Section 1. That § 32-5-6 be amended to read as follows:

5 32-5-6. License fees and compensation on a noncommercial motor vehicle which is an
6 automobile, pickup truck, or van as provided by § 32-5-5, shall be determined by the
7 manufacturer's shipping weight, including accessories, as follows:

- 8 (1) Two thousand pounds or less, inclusive, ~~thirty~~ forty dollars;
9 (2) From 2,001 to 4,000 pounds, inclusive, ~~forty-two~~ fifty-two dollars;
10 (3) From 4,001 to 6,000 pounds, inclusive, ~~fifty-five~~ sixty-five dollars;
11 (4) Over 6,000 pounds, ~~sixty-five~~ seventy-five dollars.

12 Section 2. That § 32-5-6.1 be amended to read as follows:

13 32-5-6.1. License fees for any noncommercial motor home shall be determined by the
14 manufacturer's shipping weight, including accessories, as follows:



- 1 (1) Six thousand pounds or less, inclusive, ~~sixty~~ seventy dollars;
- 2 (2) From 6,001 to 8,000 pounds, inclusive, ~~eighty~~ ninety dollars;
- 3 (3) From 8,001 to 10,000 pounds, inclusive, ~~one hundred~~ one hundred ten dollars;
- 4 (4) For each additional 2,000 pounds or major fraction thereof, in excess of 10,000
- 5 pounds, twenty dollars.

6 For the purposes of this section, a motor home is a vehicle designed to provide temporary

7 living quarters for recreational, camping, or travel use, built on or permanently attached to a

8 self-propelled motor vehicle chassis or on a chassis cab or van that is an integral part of the

9 completed vehicle.

10 Section 3. That § 32-5-6.3 be amended to read as follows:

11 32-5-6.3. License fees on a noncommercial motor vehicle which is not an automobile,

12 pickup truck, or van licensed pursuant to § 32-5-6 shall be determined by the gross weight of

13 the motor vehicle as defined by subdivision 32-9-1(6), and based on the following:

- 14 (1) Eight thousand pounds or less, inclusive, ~~fifty-five~~ sixty-five dollars;
- 15 (2) For each additional 2,000 pounds or major fraction thereof from 8,001 to 32,000
- 16 pounds, inclusive, three dollars;
- 17 (3) For each additional 2,000 pounds or major fraction thereof from 32,001 to 54,000
- 18 pounds, inclusive, six dollars;
- 19 (4) For each additional 2,000 pounds or major fraction thereof from 54,001 to 80,000
- 20 pounds, inclusive, eighteen dollars;
- 21 (5) For each additional 2,000 pounds or major fraction thereof in excess of 80,000
- 22 pounds, twenty-four dollars.

23 It is a Class 2 misdemeanor for a person to operate a motor vehicle licensed pursuant to this

24 section at a gross weight in excess of the gross weight for which it has been licensed. If the

owner chooses to lower the registered weight, the plate shall be returned along with any validation decal and a new plate issued with the correct registered weight.

Section 4. That § 32-5-30 be repealed.

~~32-5-30. If any noncommercial motor vehicle, according to the manufacturer's model year designation, is five years old or more on January first of the year for which a license fee is required, such fee shall be seventy percent of the fee ordinarily prescribed.~~

Section 5. That § 32-9-15 be amended to read as follows:

32-9-15. In consideration of the unusual use of the public highways, each person, except as otherwise provided in this chapter, desiring to operate a motor vehicle, trailer, or semitrailer, upon the public highways of this state as a motor carrier, shall annually pay the commercial motor vehicle fee as follows, to the county treasurer of the county of which ~~he~~ the person is a resident, if a carrier of property; or to the Department of Revenue and Regulation, if ~~he~~ the person is not a resident of this state:

- (1) Gross weight under 4000 pounds, eighty-five dollars;
- (2) Gross weight of 4001 to 6000 pounds, one hundred dollars;
- (3) Gross weight of 6001 to 8000 pounds, one hundred fifteen dollars;
- (4) Gross weight of 8001 to 10,000 pounds, one hundred thirty dollars;
- (5) Gross weight of 10,001 to 12,000 pounds, one hundred fifty dollars;
- (6) Gross weight of 12,001 to 14,000 pounds, one hundred seventy-five dollars;
- (7) Gross weight of 14,001 to 16,000 pounds, two hundred dollars;
- (8) Gross weight of 16,001 to 18,000 pounds, two hundred twenty-five dollars;
- (9) Gross weight of 18,001 to 20,000 pounds, two hundred fifty dollars;
- (10) For each additional 2000 pounds or major fraction thereof in excess of 20,000 pounds, forty dollars.

1 (11) For each vehicle or combination of vehicles as defined in § 32-22-10 with a gross
2 weight in excess of 78,000 pounds, seven dollars in addition to the fee schedule
3 above.

4 ~~If any commercial motor vehicle, according to the manufacturer's model year designation,~~
5 ~~is five years old or more on January first of the year for which a license fee is required, that fee~~
6 ~~is ninety percent of the fee ordinarily prescribed.~~