

AN ACT

ENTITLED, An Act to provide that salvage titles be issued for stolen vehicles and to provide that thefts be noted on the title of recovered motor vehicles.

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

Section 1. That § 32-3-51.19 be amended to read as follows:

32-3-51.19. For purposes of §§ 32-3-51.5, 32-3-51.9, 32-3-51.19, 32-3-51.20, and 32-3-51.21, the term, salvage vehicle, means any motor vehicle as defined in § 32-3-51.10 that an insurer or self insurer determines a total loss due to theft or to damage caused by fire, vandalism, collision, weather, submersion in water, or flood. This section does not apply to any motor vehicle more than six model years old or with a gross vehicle weight rating of more than sixteen thousand pounds.

Section 2. That chapter 32-3 be amended by adding thereto a NEW SECTION to read as follows:

If a stolen vehicle is recovered, the insurer or self insurer shall, within thirty days of recovery, inspect the vehicle and apply for a title as follows:

- (1) If the vehicle has no damage or the damage is less than that defined in § 32-3-51.8, surrender the existing salvage title to the department. The department shall promptly issue a title marked as a recovered theft with no damage disclosure notation pursuant to § 32-3-51.8; or
- (2) If the vehicle has damage equal to or greater than that defined in § 32-3-51.8, surrender the existing salvage title to the department. The department shall promptly issue a title marked as a recovered theft with the damage disclosure notation pursuant to § 32-3-51.8.

However, if the condition of the vehicle is such that it would have been determined a salvage vehicle as defined in § 32-3-51.19 due to the damage to the vehicle, the salvage title is retained and the insurer or self insurer is not required to apply for a title pursuant to this section.

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I certify that the attached Act
originated in the

SENATE as Bill No. 97

Secretary of the Senate
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President of the Senate

Attest:

Secretary of the Senate

Speaker of the House

Attest:

Chief Clerk

Senate Bill No. 97
File No. _____
Chapter No. _____

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Received at this Executive Office
this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor
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The attached Act is hereby
approved this _____ day of
_____, A.D., 20____

Governor

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STATE OF SOUTH DAKOTA,
ss.

Office of the Secretary of State

Filed _____, 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State