

Chapter 120
(Senate Bill 3)

An Act to increase driver license fees.

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

Section 1. That § 32-12-16 be AMENDED:

32-12-16. The application fee for an original driver license or a renewal of a driver license is ~~twenty-eight~~ thirty-eight dollars. The fee for a duplicate license, a name change, or an address change is ~~fifteen~~ twenty dollars. The fee ~~shall~~ must be credited to the state motor vehicle fund.

Five dollars of every fee for an original or renewal license collected pursuant to this section ~~shall~~ must be used to administer the Division of Highway Patrol.

Section 2. That § 32-12-47.1 be AMENDED:

32-12-47.1. Any ~~person~~ individual whose license or privilege to drive a motor vehicle on public highways has been revoked, suspended, or disqualified may not have the license or privilege renewed or restored unless the period of revocation, suspension, or disqualification has expired. The period ~~of revocation, suspension, or disqualification shall begin~~ begins on the date ordered by the court, on the date specified in the notice from the department, or on the date the suspension order is effective for failure to comply with a citation, whichever date is earlier. At the expiration of the period of revocation, suspension, or disqualification, ~~a person may make application~~ an individual may apply for license reinstatement ~~as provided by law and shall pay a license fee of fifty dollars plus application fees pursuant to § 32-12-16; a license fee of seventy five dollars plus application fees pursuant to § 32-12-16 if revocation of the license was a result of a conviction for a violation of § 32-23-2; a license fee of one hundred dollars plus application fees pursuant to § 32-12-16 if revocation of the license was a result of a conviction for a violation of § 32-33-18, or a second or subsequent conviction for a violation of § 32-24-1 within a period of one year; a license fee of one hundred twenty five dollars plus application fees pursuant to § 32-12-16 if revocation of the license was a result of a conviction for a violation of § 32-23-3; a license fee of one hundred seventy five dollars plus application fees pursuant to § 32-12-16 if revocation of the license was a result of a conviction for a violation of § 32-23-4, 32-23-4.6, or 32-23-4.7; or a license fee of two hundred dollars plus application fees pursuant to § 32-12-16 if revocation of the license was the result of a conviction for a violation of § 22-16-41 or 22-18-36. A person making application following a revocation shall fulfill all knowledge examination requirements of a new applicant by:~~

(1) Paying the following, applicable licensing fee, in addition to an application fee pursuant to § 32-12-16:

- (a) If revocation of the license was a result of a conviction for a violation of § 32-23-2, one hundred dollars;
- (b) If revocation of the license was a result of a conviction for a violation of § 32-33-18, or a second or subsequent conviction for a violation of § 32-24-1 within one year, one hundred twenty-five dollars;
- (c) If revocation of the license was a result of a conviction for a violation of § 32-23-3, one hundred fifty dollars;
- (d) If revocation of the license was a result of a conviction for a violation of § 32-23-4, 32-23-4.6, or 32-23-4.7, two hundred dollars;

- (e) If revocation of the license was the result of a conviction for a violation of § 22-16-41 or 22-18-36, two hundred twenty-five dollars; and
- (f) If none of the preceding subdivisions apply, seventy-five dollars; and
- (2) Fulfilling a knowledge examination requirement of a new applicant for a revocation listed in subsections (a) to (e), inclusive.

~~A person~~An individual who had a restricted minor's permit, motorcycle restricted minor's permit, instruction permit, or motorcycle instruction permit, or privilege to apply for a permit or license suspended pursuant to § 32-12-15 ~~need not~~ is not required to pay the fee prior to reinstatement of the ~~license permit~~, unless the suspension is for a conviction of a moving traffic offense assessed six or more points ~~by pursuant to § 32-12-49.1.~~

Section 3. That § 32-12-48 be AMENDED:

32-12-48. If a defendant is convicted under § 32-23-2, 32-23-3, 32-23-4, 32-23-4.6, ~~or 32-23-4.7, or 32-23-4.9,~~ the period of revocation ~~shall begin~~ begins on the date ordered by the court or on the date specified in the notice from the department, whichever date is earlier. At the conclusion of the period of revocation ordered by the court, and if future proof is filed with the Department of Public Safety as required by chapter 32-35, the defendant may submit an application to reinstate the defendant's driver license, accompanied by ~~a fee of seventy-five dollars if revocation of the license was for a conviction under § 32-23-2, one hundred twenty-five dollars if revocation of the license was for a conviction under § 32-23-3, or one hundred seventy-five dollars if revocation of the license was for a conviction under § 32-23-4, 32-23-4.6, or 32-23-4.7~~ the following applicable fee:

- (1) If revocation of the license was a result of a conviction under § 32-23-2, one hundred dollars;
- (2) If revocation of the license was a result of a conviction under § 32-23-3, one hundred fifty dollars; and
- (3) If revocation of the license was a result of a conviction under § 32-23-4, 32-23-4.6, or 32-23-4.7, two hundred dollars.

The department may issue a driver license to the defendant, if, after an investigation of the character, habits, and driving ability of the defendant, the department is satisfied it is safe to grant the privilege of driving a motor vehicle to the defendant. A driver license issued under the provisions of this section ~~shall must~~ show the restrictions, if any, imposed by the court and the date when the restrictions ~~are to cease~~ expire.

Section 4. That § 32-12-61.1 be AMENDED:

32-12-61.1. The Department of Public Safety shall furnish to any authorized ~~person~~ individual, upon request, a problem driver point system abstract. The request ~~shall must~~ indicate all adverse driver license actions maintained by a jurisdiction and ~~shall must~~ be released according to 23 C.F.R. ~~Parts 1325 and § 1327 in effect (January 1, 1995).~~ The department shall collect ~~four~~ seven dollars for each inquiry. The fee ~~shall must~~ be credited to the state motor vehicle fund. Any governmental entity or subdivision is exempt from this fee.

Section 5. That § 32-12A-15 be AMENDED:

32-12A-15. The application fee for a commercial driver license is ~~thirty-three forty-three~~ thirty-three dollars. For each commercial driver license endorsement knowledge test administered, the fee is ~~fifteen~~ twenty dollars. The fee for a duplicate license, a name change, or an address change is ~~fifteen~~ twenty dollars.

~~The fee shall~~ Any fee that is collected must be credited to the state motor vehicle fund.

Section 6. That § 32-12A-63 be AMENDED:

32-12A-63. The department shall furnish to any person, upon request, a certified abstract of the operating record for the ~~last previous~~ three years of any ~~person~~ individual subject to the provisions of chapter 32-35. The abstract ~~shall include enumeration of~~ must list any motor vehicle accident in which the ~~person~~ individual has been involved, the ~~person's~~ individual's medical certification status, and ~~reference to~~ any conviction of the ~~person~~ individual for a violation of any motor vehicle law as reported to the department. The department shall collect ~~five~~ seven dollars for each abstract. The fee ~~shall~~ must be credited to the state motor vehicle fund. No governmental entity or subdivision is subject to this fee.

The department shall furnish, upon request and a payment of a fee of ~~five~~ seven dollars, full information regarding the driver record for the ~~last previous~~ three years of ~~a person~~ an individual who has been issued a commercial learner's permit or commercial driver license, to an employer or to a prospective employer, if the ~~person~~ individual has given written consent to the employer or prospective employer to obtain this information. The department shall furnish this same information regarding the driver record to the driver upon the payment of a fee of ~~five~~ seven dollars. The information ~~shall~~ must include the ~~person's~~ individual's medical certification status, any disqualification, and any other licensing action for a violation of any state or local law relating to motor vehicle traffic control, other than a parking violation committed in any type of vehicle. The fee ~~shall~~ must be credited to the state motor vehicle fund. No governmental entity or subdivision is subject to this fee.

Signed March 26, 2025
