

AN ACT

ENTITLED, An Act to modify the procedure for issuing a driver's license or nondriver identification card.

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

Section 1. That § 32-12-3.1 be amended to read as follows:

32-12-3.1. Every applicant under this chapter shall, on making application for an operator's license, restricted permit, instruction permit, or nondriver identification card, present to the driver's license examiner a certified copy of a United States birth certificate issued in or by a city, county, or state, a federal census record, a naturalization and immigration record authorizing the applicant's presence in the United States, or a valid passport. The examiner may accept other evidence of birth only if the examiner is satisfied that the applicant cannot, for good reason beyond the applicant's control, produce such primary documents. The Department of Commerce and Regulation may not require new evidence of birth at the time an application is made for an operator's permit by a person holding an operator's license, restricted permit, or instruction permit, if that person's operator's license, restricted permit, or instruction permit is turned in to the department with the application. Any person who obtains a license, permit, or identification card pursuant to this section fraudulently or by use of a fraudulently obtained document is guilty of a Class 2 misdemeanor.

Section 2. That § 32-12-42 be amended to read as follows:

32-12-42. Each operator's license, including restricted permit, expires on the licensee's birthday in the fifth year following the issuance of the license. The department may issue an operator's license or identification card which expires on the same date as the expiration date on the valid documents authorizing the applicant's presence in the United States in accordance with § 32-12-3.1. Each license is renewable one hundred eighty days before its expiration upon application and payment of the required fee. Any license renewed before its expiration expires

five years after the licensee's ensuing birthday. However the department shall waive the knowledge and driving tests for renewal, if the licensee applies and makes payment of the required fee within thirty days following the expiration date. If the licensee applies and makes payment of the required fee thirty-one or more days after the expiration date of the license, the licensee shall take the knowledge test as required by § 32-12-4. Any license renewed during the thirty-day period following the date of expiration expires five years from the licensee's previous birthday.

Section 3. That chapter 32-12 be amended by adding thereto a NEW SECTION to read as follows:

The Department of Commerce and Regulation may promulgate rules pursuant to chapter 1-26 to implement the provisions of this Act.

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I certify that the attached Act
originated in the

SENATE as Bill No. 182

Secretary of the Senate

President of the Senate

Attest:

Secretary of the Senate

Speaker of the House

Attest:

Chief Clerk

Senate Bill No. 182

File No. _____

Chapter No. _____

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Received at this Executive Office
this ____ day of _____ ,

19__ at ____ M.

By _____
for the Governor

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The attached Act is hereby
approved this _____ day of
_____, A.D., 19__

Governor

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STATE OF SOUTH DAKOTA,
ss.
Office of the Secretary of State

Filed _____, 19__
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State