

State of South Dakota

SEVENTY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 1997

400A0650

SENATE TRANSPORTATION COMMITTEE

ENGROSSED NO. **SB182** - 2/12/97

Introduced by: Senators Munson (David) and Thompson and Representative DeMersseman

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

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

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

5 32-12-3.1. Every applicant under this chapter shall, on making application for an operator's
6 license, restricted permit, ~~or~~ instruction permit, or nondriver identification card, present to the
7 driver's license examiner a certified copy of a United States birth certificate ~~of birth or~~
8 ~~verification of birth facts from the State Department of Health~~ issued in or by a city, county, or
9 state, a federal census record, a naturalization and immigration record authorizing the applicant's
10 presence in the United States, or a valid passport. The examiner may accept other evidence of
11 birth only if ~~he~~ the examiner is satisfied that the applicant cannot, for good reason beyond the
12 applicant's control, produce such primary documents. The Department of Commerce and
13 Regulation may not require new evidence of birth at the time an application is made for an
14 operator's permit by a person holding an operator's license, restricted permit, or instruction
15 permit, if that person's operator's license, restricted permit, or instruction permit is turned in to

1 the department with the application. Any person who obtains a license, permit, or identification
2 card pursuant to this section fraudulently or by use of a fraudulently obtained document is guilty
3 of a Class 2 misdemeanor.

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

5 32-12-42. Each operator's license, including restricted permit, expires on the licensee's
6 birthday in the fifth year following the issuance of the license. The department may issue an
7 operator's license or identification card which expires on the same date as the expiration date on
8 the valid documents authorizing the applicant's presence in the United States in accordance with
9 § 32-12-3.1. Each license is renewable one hundred eighty days before its expiration upon
10 application and payment of the required fee. Any license renewed before its expiration expires
11 five years after the licensee's ensuing birthday. However the department shall waive the
12 knowledge and driving tests for renewal, if the licensee applies and makes payment of the
13 required fee within thirty days following the expiration date. If the licensee applies and makes
14 payment of the required fee thirty-one or more days after the expiration date of the license, the
15 licensee shall take the knowledge test as required by § 32-12-4. Any license renewed during the
16 thirty-day period following the date of expiration expires five years from the licensee's previous
17 birthday.

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

20 The Department of Commerce and Regulation may promulgate rules pursuant to chapter 1-
21 26 to implement the provisions of this Act.

1 **BILL HISTORY**

2 1/29/97 First read in Senate and referred to Transportation. S.J. 214

3 2/4/97 Scheduled for Committee hearing on this date.

4 2/4/97 Deferred to another day.

5 2/6/97 Scheduled for Committee hearing on this date.

6 2/6/97 Deferred to another day. S.J. 348

7 2/11/97 Scheduled for Committee hearing on this date.

8 2/11/97 Transportation Do Pass Amended, AYES 7, NAYS 0. S.J. 384