

State of South Dakota

SEVENTY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 1998

167B0678

HOUSE TRANSPORTATION COMMITTEE

ENGROSSED NO. **HB1199** - 2/11/98

This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsors.

Introduced by: Representatives Windhorst, Apa, Duenwald, Fitzgerald, Hagen, Jaspers, Koskan, McNenny, and Napoli and Senators Lawler, Aker, Benson, Drake, Johnson (William), Kleven, Shoener, and Staggers

1 FOR AN ACT ENTITLED, An Act to permit bar codes and other information retrieval devices
2 on driver's licenses and to limit the information that may be contained in the data field.

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

4 Section 1. That § 32-12-17 be amended to read as follows:

5 32-12-17. The Department of Commerce and Regulation shall, upon payment of the fee
6 established by § 32-12-16, issue to ~~every~~ each applicant qualifying therefor an operator's license.
7 The license shall bear thereon a distinguishing number assigned to the licensee, the full legal
8 name or any name lawfully taken, date of birth, residence address, an indication if the licensee
9 is a donor pursuant to chapter 34-26, an indication if the licensee has a living will pursuant to
10 chapter 34-12D or a durable power of attorney for health care pursuant to chapter 59-7, a color
11 photo and a brief description of the licensee, and the licensee's signature. The department shall
12 indicate upon each driver's license the general class of vehicles which the licensee may drive. If
13 a bar code, or other means by which information may be taken electronically, is placed on the
14 license, the data field shall contain the information appearing on the license and the licensee's

1 social security number. However, the social security number shall be encrypted.

2 Section 2. That chapter 32-12 be amended by adding thereto a NEW SECTION to read as
3 follows:

4 If a bar code, or other means by which information may be taken electronically, is placed on
5 a license pursuant to § 32-12-17, the secretary of the Department of Commerce and Regulation
6 may encrypt information in the bar code identifying that the licensee is a convicted felon who has
7 a firearm restriction or the licensee is a sex offender who is required to register pursuant to
8 §§ 22-22-30 to 22-22-39, inclusive.

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

11 If a bar code, or other means by which information may be taken electronically, is placed on
12 a license pursuant to § 32-12-17, the secretary of the Department of Commerce and Regulation
13 may encrypt information identifying the licensee's blood type, medical condition, allergies,
14 medications, or other medical alert data if the licensee requests such information to be encrypted
15 on the license. Before obtaining the license, the licensee shall submit a document clearly
16 identifying this information to the department and the document shall be signed by the licensee
17 and the licensee's physician.

18 Section 4. That chapter 32-12 be amended by adding thereto a NEW SECTION to read as
19 follows:

20 Only the information listed in sections 1 to 3, inclusive, of this Act may be placed in a bar
21 code or other information retrieval device on the license.

1 **BILL HISTORY**

2 1/21/98 First read in House and referred to Transportation. H.J. 150

3 2/2/98 Scheduled for Committee hearing on this date.

4 2/2/98 Transportation Do Pass, Failed, AYES 5, NAYS 4.

5 2/2/98 Transportation Deferred to another day.

6 2/4/98 Scheduled for Committee hearing on this date.

7 2/9/98 Deferred to 36th legislative day, AYES 8, NAYS 4. H.J. 472

8 2/11/98 Transportation Reconsidered, AYES 8, NAYS 3.

9 2/11/98 Transportation Do Pass Amended, Passed, AYES 8, NAYS 5.