

# State of South Dakota

SEVENTY-THIRD SESSION  
LEGISLATIVE ASSEMBLY, 1998

149B0141

HOUSE STATE AFFAIRS COMMITTEE

ENGROSSED NO. **SB92** - 2/23/98

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

Introduced by: Senators Lawler, Aker, Albers, Dennert, Drake, Dunn (Jim), Flowers, Halverson, Hunhoff, Kloucek, Olson, Reedy, Rounds, Shoener, Staggers, and Valandra and Representatives Cutler, Diedrich, Hassard, Koskan, Lee, Madden, Monroe, Moore, Napoli, Roe, Schaunaman, Waltman, and Windhorst

1 FOR AN ACT ENTITLED, An Act to limit the information that may be contained on a driver's  
2 license.

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 retrieved electronically, is placed on the

1 license, the data field may contain the information printed on the license and the licensee's  
2 encrypted social security number.

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

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

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

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

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

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

1 **BILL HISTORY**

2 1/20/98 First read in Senate and referred to Transportation. S.J. 116

3 1/26/98 Senate Re-referred to State Affairs. S.J. 192

4 1/27/98 Scheduled for Committee hearing on this date.

5 2/4/98 Scheduled for Committee hearing on this date.

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

7 2/6/98 State Affairs Do Pass Amended, Passed, AYES 8, NAYS 0. S.J. 354

8 2/6/98 State Affairs Place on Consent Calendar.

9 2/10/98 Second reading of consent calendar items.

10 2/10/98 Second reading of consent calendar items. S.J. 415

11 2/10/98 Senate Do Pass Amended, Passed, AYES 34, NAYS 0. S.J. 415

12 2/11/98 First read in House and referred to State Affairs. H.J. 591

13 2/18/98 Scheduled for Committee hearing on this date.

14 2/18/98 State Affairs Deferred to another day.

15 2/20/98 State Affairs Hog Housed.

16 2/20/98 Scheduled for Committee hearing on this date.

17 2/20/98 State Affairs Do Pass Amended, Passed, AYES 10, NAYS 0. H.J. 812