

# State of South Dakota

SEVENTY-EIGHTH SESSION  
LEGISLATIVE ASSEMBLY, 2003

734I0433

## HOUSE BILL NO. 1089

Introduced by: Representatives Pederson (Gordon), Fryslie, Hargens, Klaudt, Konold, Lange, Peterson (Jim), Rhoden, Rounds, and Teupel and Senators Napoli, Apa, Duenwald, Koskan, Moore, Sutton (Duane), and Vitter

1 FOR AN ACT ENTITLED, An Act to authorize motor vehicle dealers to reassign certain out-  
2 of-state motor vehicle titles.

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

4 Section 1. That § 32-5-27 be amended to read as follows:

5 32-5-27. Any dealer, person, firm, or corporation, which brings into the state or purchases  
6 any used or secondhand out-of-state motor vehicles not currently licensed in this state for the  
7 purpose of sale or resale, except as a trade-in on a new motor vehicle or another used motor  
8 vehicle ~~or, a used motor vehicle purchased by a dealer and sold to another dealer,~~ vehicles  
9 receiving a junking certificate ~~or,~~ motor vehicles with a gross vehicle weight rating of over  
10 twenty-six thousand pounds, or a semitrailer with a manufacturer's shipping weight of nine  
11 thousand pounds or more, shall, within thirty days from the date of purchase or entry of the  
12 motor vehicle into the limits of this state, or from the date of purchase at a dealer's car auction  
13 agency, title the motor vehicle pursuant to chapter 32-3 and pay the excise tax pursuant to  
14 chapter 32-5B but is not required to license the vehicle. Any licensed motor vehicle dealer titling  
15 a motor vehicle pursuant to this section is exempt from paying the excise tax imposed by



1 § 32-5B-1 on such vehicle. A vehicle titled by a licensed motor vehicle dealer pursuant to this  
2 section shall be issued a title indicating that no excise tax has been paid. Upon transfer of the title  
3 to a subsequent purchaser of the motor vehicle, the excise tax shall be paid by the purchaser or  
4 by any other person as defined by subdivision 2-14-2(18), on behalf of and as the agent for the  
5 purchaser. A violation of this section is a Class 2 misdemeanor.

6 The provisions of this section do not apply to any motor vehicle titled and licensed in another  
7 jurisdiction which is sold in this state through a dealer's car auction agency licensed under the  
8 provisions of chapter 32-6B.