

State of South Dakota

EIGHTIETH SESSION
LEGISLATIVE ASSEMBLY, 2005

455L0408

SENATE APPROPRIATIONS COMMITTEE

ENGROSSED NO. **SB 175** - 02/15/2005

Introduced by: Senators Napoli, Abdallah, Adelstein, Apa, Bartling, Bogue, Broderick, Dempster, Duenwald, Duniphan, Earley, Gant, Gray, Greenfield, Hansen (Tom), Hanson (Gary), Hundstad, Kelly, Kloucek, Knudson, Koetzle, Kooistra, Koskan, Lintz, McCracken, McNenny, Moore, Nesselhuf, Olson (Ed), Peterson (Jim), Schoenbeck, Smidt, Sutton (Dan), Sutton (Duane), and Two Bulls and Representatives Haverly, Boomgarden, Bradford, Brunner, Buckingham, Cutler, Davis, Deadrick, Dennert, Dykstra, Elliott, Faehn, Frost, Fryslie, Garnos, Gassman, Gillespie, Glenski, Hackl, Haley, Halverson, Hanks, Hargens, Hennies, Hills, Howie, Hunhoff, Jensen, Jerke, Klaudt, Koistinen, Kraus, Krebs, Kroger, Lange, McCoy, McLaughlin, Michels, Miles, Murschel, Nelson, Novstrup, O'Brien, Olson (Ryan), Peters, Putnam, Rausch, Rave, Roberts, Rounds, Schafer, Sebert, Sigdestad, Street, Thompson, Tidemann, Tornow, Turbiville, Valandra, Van Etten, Weems, Wick, and Willadsen

1 FOR AN ACT ENTITLED, An Act to provide for the removal of certain noncommercial motor
2 vehicle license plates from a motor vehicle if the ownership of the vehicle is transferred and
3 to make an appropriation to provide for the administration thereof.

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

5 Section 1. That chapter 32-5 be amended by adding thereto a NEW SECTION to read as
6 follows:

7 If the ownership of a vehicle registered pursuant to the provisions of this chapter is
8 transferred or assigned, the registration of the vehicle expires and the transferor shall remove
9 the number plates from the vehicle. If the transferor fails to remove the number plates pursuant



1 to this section, the transferor is guilty of a Class 2 misdemeanor.

2 Section 2. That chapter 32-5 be amended by adding thereto a NEW SECTION to read as
3 follows:

4 A transferor pursuant to section 1 of this Act who has removed number plates from a motor
5 vehicle shall, within thirty days, either:

6 (1) Affix the number plates to any vehicle acquired by the transferor; or

7 (2) Destroy the number plates.

8 If the transferor affixes the number plates to any vehicle, the transferor shall register the
9 vehicle within thirty days.

10 Any violation of this section is a Class 2 misdemeanor.

11 Section 3. If a person purchases a motor vehicle that the number plates have been removed
12 pursuant to section 1 of this Act, the person may operate the motor vehicle for five days from
13 the date of purchase without number plates if a dated notarized bill of sale is carried in the
14 motor vehicle.

15 Section 4. That § 32-5-2.5 be amended to read as follows:

16 32-5-2.5. A person who acquires a motor vehicle required to be annually registered shall,
17 at the time of application for a certificate of title or transfer of title, ~~renew the vehicle's~~
18 ~~registration by purchasing license plates or validation decals which would be valid~~ register the
19 vehicle until the appropriate month assigned to the person for renewal by § 32-5-2.2. ~~The person~~
20 ~~who acquires a vehicle that is registered in this state shall be given credit for all full months~~
21 ~~remaining on the vehicle's unexpired registration.~~ This section does not apply if the vehicles are
22 exempted from the excise tax by § 32-5B-2.

23 Section 5. Sections 1 to 4, inclusive, are effective on January 1, 2007.

24 Section 6. Notwithstanding the provisions of § 32-5B-17, from July 1, 2005, to June 30,

1 2007, inclusive, two percent of the revenues received pursuant to §§ 32-5B-1 and 32-5B-20
2 shall be credited to the state motor vehicle fund and the remainder shall be credited to the state
3 highway fund. Any moneys deposited in the state motor vehicle fund pursuant to this section
4 shall be used for the development of a new computer system to be used by the Division of
5 Motor Vehicles.

6 Section 7. The provisions of section 6 of this Act are repealed on July 1, 2007.