

State of South Dakota

EIGHTY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 2007

400N0314

SENATE BILL NO. 12

Introduced by: The Committee on Transportation at the request of the Department of Public Safety

1 FOR AN ACT ENTITLED, An Act to revise certain provisions required to obtain an instruction
2 permit to drive.

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

4 Section 1. That § 32-12-11 be amended to read as follows:

5 32-12-11. Any person who is at least fourteen years of age but less than eighteen years of
6 age applying for a South Dakota operator's license, restricted minor's permit, or instruction
7 permit who does not currently hold an operator's license, motorcycle operator's license,
8 restricted minor's permit, motorcycle restricted minor's permit, instruction permit, or motorcycle
9 instruction permit that has been valid continuously for one hundred eighty days, shall apply to
10 the Department of Public Safety for an instruction permit which shall be held for a minimum
11 of one hundred eighty continuous days. If an applicant holds an instruction permit that has been
12 expired for thirty days or less, the department shall waive the knowledge test for the renewal of
13 the instruction permit or to upgrade to an operator's license, motorcycle operator's license,
14 restricted minor's permit or motorcycle restricted minor's permit. If the licensee applies and
15 makes payment of the required fee thirty-one or more days after the expiration date of the



1 license, the licensee shall take the knowledge test as required by § 32-12-4 and shall be issued
2 an instruction permit upon passage of the test. The department may, after the applicant has
3 successfully passed all parts of the examination other than the driving test and paid a fee which
4 is equal in amount to the fee prescribed for a license in § 32-12-16, issue to the applicant an
5 instruction permit. The instruction permit entitles the applicant , while having the permit in the
6 applicant's immediate possession, to drive a motor vehicle upon the public highways for a
7 period of one year during the hours of 6 a.m. to 10 p.m. if accompanied by a person holding a
8 valid operator's license who is at least eighteen years of age, has had at least one year of driving
9 experience, and who is occupying a seat beside the applicant. The applicant is entitled to drive
10 a motor vehicle upon the public highways during the hours of 10 p.m. to 6 a.m. if the motor
11 vehicle is being operated under the direction of the applicant's parent or guardian who is
12 occupying a seat beside the applicant. The holder of an instruction permit may apply for a
13 restricted minor's permit or operator's license after holding a valid instruction permit for one
14 hundred eighty continuous days.