

20:36:04:04. Examination of new and purchased plants. Before any person begins assembly of an abstract plant for the purpose of qualifying for a certificate or registration the person shall contact the board. The board shall advise as to procedure and observe the methods used during the construction of the plant. Whenever any person has completed assembly of an abstract plant or intends to purchase an already registered plant the person shall notify the board in writing that such plant is ready for examination and state the place at which it may be examined. The secretary-treasurer shall immediately communicate its contents to all members of the board and the board shall fix a date for examination of such plant, said examination to be held within 60 days of notification, and notify the applicant thereof. The examination may be conducted by one or more members of the board as may be ordered by the board and such member or members shall then make their examinations and report within 60 days after date of such order. During such period different examinations may be made at different times by the member or members of the board and the applicant shall cooperate with them fully in showing the condition of the plant and explaining anything required of the applicant in connection with it and the applicant shall also afford the member or members full opportunity to examine such plant privately and without the applicant's presence if they or any of them so desire. After the member or members of the board have completed their examination of the plant they shall make a joint report or individual reports in writing to the board together with their recommendations and the same shall be filed with and become an official record of the board. The board shall then make its official decisions as to the sufficiency of the plant, and file the same in the office of the board and a copy of the report and the decision shall then be sent by certified mail -- return receipt requested to the address of the plant at the place where the same was located at time of examination thereof. If the decision of the board is to the effect that certain corrections or additions, or both to the plant are necessary, the decisions shall specify the same and may in the discretion of the board, fix additional time within which the applicant may make the same and notify the board and the board shall then examine the plant and make its decision as hereinbefore provided.

Source: SL 1975, ch 16, § 1; 3 SDR 49, effective January 17, 1976; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 34 SDR 73, effective September 17, 2007.

General Authority: SDCL 36-13-6.

Law Implemented: SDCL 36-13-10.