

## SOUTH DAKOTA

### **Definitions**

**Rebuilt Vehicle.** Any motor vehicle, trailer, or semitrailer that has been rebuilt by the addition or deletion of assemblies, subassemblies, parts, or component parts so that upon gross visual examination it does not appear to be the vehicle described in the certificate of title last issued for the vehicle, or whose title has been marked as rebuilt by this state or another state or jurisdiction.

**Vehicle eligible for Historic License Plates.** A noncommercial automobile, pickup truck, van, or truck, with a weight less than eight thousand pounds, or a retired firetruck which is more than thirty years old at the time of applying for registration of the vehicle.

## **South Dakota Laws**

### **From Administrative Rules of South Dakota:**

#### **ARSD 64:28:11:01. Requirements for correction of title.**

The following requirements for correction of title shall be met when a motor vehicle has been converted from one class to another:

- (1) The original certificate of title of motor vehicle chassis shall be surrendered to the department, Division of Motor Vehicles, for correction of classification or body type;
- (2) A general affidavit or an affidavit for rebuilt motor vehicle setting forth the facts of the conversion or the change in body type shall accompany the certificate of title;
- (3) A certificate of title covering the body being installed may be replaced by a notarized bill of sale from an authorized salvage dealer. The bill of sale shall state a complete description of the make, body type, and serial number of the body and shall accompany the certificate of title covering the motor vehicle chassis and the affidavit for a rebuilt motor vehicle.

#### **ARSD 64:30:05:08. Motor vehicles -- Number affixed to front door.**

On any vehicle, including a rebuilt vehicle, other than a motorcycle or trailer, the inspecting official shall affix the VIN plate to a clean, visible surface on the left front door pillar post. If possible, the number shall be placed adjacent to the number which was assigned by the manufacturer or another state to the part used to rebuild the vehicle.

If this is not possible due to construction of the vehicle, alternative visible locations are as follows:

- (1) The left front door latch post;
- (2) The left side of the dashboard;
- (3) The left side of the steering column support; or
- (4) The frame on the left side of the vehicle in the engine compartment.

#### **ARSD 64:30:02:02. Vehicles to be assigned numbers.**

Vehicle identification numbers may be assigned to rebuilt, salvage, and specially constructed vehicles, all vehicles and identifiable components with missing or altered identification numbers, and those vehicles where discrepancies are noted between the VIN recorded on the title or other ownership documents and the public VIN on the vehicle. The assigned number shall not exceed 21 characters and shall incorporate the state code. The state code shall precede and shall be an integral part of the assigned number.

#### **ARSD 64:30:03:05. Replacement identification numbers.**

A replacement identification number shall be assigned to a vehicle having a dash removed that has a serial number attached and in which a new replacement dash is being installed. If a used dash is being installed, a new serial number shall be assigned and a rebuilt title issued to the owner.

**ARSD 64:30:05:07. Newly constructed vehicles.**

The department shall provide a newly constructed vehicle which does not have a specially assigned or readily identifiable number with an assigned VIN to be used as the public number.

**From South Dakota Codified Laws:**

**SDCL § 32-3-64. Titling vehicles eleven years old or more with no existing record**

If a vehicle is eleven years old or more and no record exists for the vehicle, a person may apply for a vehicle title by submitting to the department an application for title, a valid bill of sale properly signed by the person who has the right to convey ownership which identifies the vehicle, the seller, the purchaser, and the purchase price, and an affidavit which explains the facts surrounding the applicant's acquisition of the vehicle and which indemnifies the state against liability. The department shall conduct a nationwide title search and shall check with the National Crime Information Center to ensure no record of the vehicle exists. If no record of the vehicle is found, the department shall issue a title for the vehicle to the applicant.

**SDCL § 32-5-30. Fee for noncommercial vehicles more than ten years old**

If any noncommercial motor vehicle, according to the manufacturer's model year designation, is ten years old or more on January first of the year for which a license fee is required, such fee shall be seventy percent of the fee ordinarily prescribed.

**SDCL § 32-5-77. Historical license plates--Application and fee--Permanent plates--Use of vehicle restricted**

Any person who is a resident of this state and the owner of a noncommercial automobile, pickup truck, van, or truck, with a weight less than eight thousand pounds, or a retired firetruck which is more than thirty years old at the time of applying for registration of the vehicle, may apply directly to the secretary for historical license plates in lieu of the application provided for in §§ 32-5-2 and 32-5-3. The historical license plates shall be issued to the applicant instead of the usual license plates after payment of a ten dollar registration fee. Historical license plates for a motor vehicle other than a motorcycle shall be issued in pairs. A single historical license plate shall be issued for a motorcycle. The license plates shall be permanent for the life of the vehicle. No motor vehicle for which historical license plates have been issued may be used for daily transportation to and from a place of work or for commercial transportation. The motor vehicle may be used for pleasure transportation, public displays, parades, and other related pleasure or hobby activities, and may be driven to and from any facility providing motor vehicle maintenance or repair. However, no motor vehicle for which historical plates have been issued

may be driven more than four thousand miles per year. Fees collected under the provisions of this section shall be credited to the state motor vehicle fund.

**SDCL 32-3-22.1. Fee for assignment of vehicle identification number**

The fee for assignment of a vehicle identification number is twenty-five dollars. The fee is payable to the county treasurer's office at the time of application for a rebuilt title. The county treasurer shall forward to the Division of Motor Vehicles the rebuilt title application with the affidavit of rebuilt motor vehicle and the vehicle identification number assignment fee. The rebuilt application may not be processed if the fee is not paid. If the vehicle identification number is not assigned as a result of the inspection of the vehicle, the Division of Motor Vehicles shall refund the fee to the applicant.

**SDCL § 32-3-53. Restored or rebuilt vehicle--Submission to department--Inspection--Issuance of rebuilt title**

If any vehicle, trailer, or semitrailer is rebuilt as defined in subdivision 32-3-1(17) and is restored to operation, the owner shall submit an application to the Department of Revenue for a rebuilt title. The motor vehicle, trailer, or semitrailer may not be licensed or titled until there is submitted to the department proper affidavits, photo copies of receipts, bills of sale establishing ownership, or titles and the source of all parts and component parts used to rebuild the vehicle. The rebuilt title and registration shall be issued and delivered in accordance with the provisions of this chapter. After the motor vehicle is inspected, the owner shall take his copy of the certificate of inspection to the county treasurer, purchase his license plates and pay any tax owed. Once the department is notified that the inspection is complete and has verified that the correct amount of tax has been paid, it shall issue a rebuilt title. Each new certificate of title shall have noted thereon that the vehicle has been rebuilt. The highway patrol or an employee of the department may inspect rebuilt titles and rebuilt motor vehicles.

**SDCL § 32-3-57. Power of secretary to make rules and require uniformity in administration of statutes--Duty of local officials**

The secretary of revenue may promulgate rules pursuant to chapter 1-26 and issue instructions as are necessary to ensure and obtain uniformity in the administration of the provisions of this chapter. Rules may be adopted in the following areas:

- (1) Application requirements for new vehicles, trailers, snowmobiles, and mobile homes;
- (2) Certificate of title for vehicles previously registered, time limits of making application, duplicate certificates, and transfer of certificate of title;
- (3) Assignment of certificate of title;
- (4) Corrections of titles and procedure when there is a body type change;

(5) Lien recording, assignment of liens, execution of cancellation of liens, and delivery of certificate of title;

(6) Transfer of ownership;

(7) Registration tax dealers guides for used vehicles or mobile homes, older motor vehicles and government vehicles, title and license requirements, nonresident reciprocity, manufacturer's price sticker, wrecked motor vehicles, leased vehicles, and homemade vehicles; and

(8) Establishment of a transaction fee for online access to the title and registration system that does not exceed fifty cents for each transaction.

All local officials charged with the administration of the provisions of this chapter are governed in their official acts by the rules promulgated by the secretary.

### **SDCL § 32-5-77.2. Display of original number plates on historical vehicles**

A motor vehicle registered pursuant to § 32-5-77 may, in lieu of being issued number plates by the secretary, display original South Dakota number plates issued in the same year as the model year of the motor vehicle on which they are displayed. The number of the original plates and a color photograph of the original plates shall be provided to the secretary. The original plates must be in good condition and shall be used in pairs on a motor vehicle other than a motorcycle with one displayed in the front of the motor vehicle and one in the rear. However, a single original South Dakota number plate may be displayed on a motorcycle or on a motor vehicle if the model year of the motor vehicle is a year in which only single license plates were issued by the state, including 1945, 1946, 1947, 1948, 1952, or 1953. If a single original number plate is permitted, it shall be securely fastened to the rear of the historical motor vehicle in a horizontal and upright position. Original South Dakota number plates may not be used if the number on the original plate is identical to a number on any other plate in a numbering system used by the secretary. Any person using plates issued pursuant to § 32-5-77 shall return those plates to the secretary before substituting original plates. The secretary shall charge a ten dollar fee for registering the number on the original plates. Fees collected under the provisions of this section shall be credited to the state motor vehicle fund.

### **SDCL § 32-3-51.19. Salvage vehicle defined--Application**

For purposes of §§ 32-3-51.5, 32-3-51.20, and 32-3-51.21, the term, salvage vehicle, means any motor vehicle that an insurer or self insurer determines a total loss due to theft or to damage caused by fire, vandalism, collision, weather, submersion in water, or flood. This section does not apply to any motor vehicle more than ten model years old or with a gross vehicle weight rating of more than sixteen thousand pounds.

## **South Dakota Equipment Exemptions**

**From South Dakota Codified Laws:**

### **SDCL § 32-15-2.1. Laminated glass required for windshield--Position--Minimum height--Exemption**

Every motor vehicle shall be equipped with an approved laminated safety glass windshield. The windshield shall be in such position that it affords continuous horizontal frontal protection to the driver and front seat occupants. The minimum vertical height of the unobstructed windshield glass shall be six inches. The provisions of this section do not apply to a motor vehicle **manufactured prior to July 1, 1953**, if the driver of the motor vehicle is wearing an eye protective device.

### **SDCL § 32-17-8. Rear lamps required--Visibility--Combination of vehicles--Height of mounting--Violation as petty offense**

Every motor vehicle, trailer, semitrailer, and pole trailer, except as otherwise provided in this section, and any other vehicle which is being drawn at the end of a combination of vehicles shall be equipped with at least two tail lamps mounted on the rear, which when lighted as required in § 32-17-4 shall emit a red light plainly visible from a distance of one thousand feet to the rear. However, motor vehicles, trailers, semitrailers, and pole trailers **manufactured and assembled prior to July 1, 1973**, shall have one tail lamp mounted on the left side of the rear which when lighted as required in § 32-17-4 shall emit a red light plainly visible from a distance of five hundred feet to the rear. Motorcycles and motor driven cycles, except mopeds as defined in § 32-20-1, shall have at least one tail lamp, which when lighted as required in § 32-17-4 shall emit a red light plainly visible from a distance of five hundred feet to the rear. Mopeds shall have at least one tail lamp which when lighted as required in § 32-17-4 shall emit a red light plainly visible from a distance of two hundred and fifty feet to the rear. Farm vehicles which are being drawn at the end of a train of vehicles may be equipped with two four-inch reflectors in lieu of lighted lamps as provided in this section so as to exhibit a red light plainly visible from a distance of five hundred feet to the rear. On a combination of vehicles, only the tail lamps on the rearmost vehicle need actually be seen from the distance specified. On vehicles with more than one tail lamp, the lamps shall be mounted on the same level and as widely spaced laterally as practicable. Every tail lamp upon every vehicle shall be located at a height of not more than seventy-two inches nor less than fifteen inches. A violation of this section is a petty offense.

### **SDCL § 32-17-8.1. Stop lamps required--Mounting--Visibility--Violation as petty offense**

Except for a vehicle equipped with a slow-moving vehicle emblem in compliance with §§ 32-15-20 and 32-15-21, each motor vehicle, trailer, semitrailer, and pole trailer shall be equipped with at least two stop lamps with at least one on each side. The side stop lamps shall be mounted on the same level and as widely spaced laterally as practicable. However, each motor vehicle,

trailer, semitrailer, and pole trailer **manufactured and assembled before July 1, 1973**, and each motorcycle and motor-driven cycle shall be equipped with at least one stop lamp. A stop lamp shall be mounted on the rear of the vehicle at a height of no more than seventy inches nor less than fifteen inches. Each stop lamp shall display a red light visible from a distance of not less than three hundred feet to the rear in normal sunlight, except for a moped, which shall be visible from a distance of not less than one hundred fifty feet. Each stop lamp shall be actuated upon application of the brake which may be incorporated with one or more rear lamps. A violation of this section is a petty offense.

**SDCL § 32-38-1. Use required--Public highways--Front seat passenger**

Except as provided in chapter 32-37 and § 32-38-3, every operator and front seat passenger of a passenger vehicle operated on a public highway in this state shall wear a properly adjusted and fastened safety seat belt system, required to be installed in the passenger vehicle when manufactured pursuant to Federal Motor Vehicle Safety Standard Number 208 (49 C.F.R. 571.208) in effect January 1, 1989, at all times when the vehicle is in forward motion. The driver of the passenger vehicle shall secure or cause to be secured a properly adjusted and fastened safety seat belt system on any passenger in the front seat who is at least five years of age but younger than eighteen years of age. Any violation of this section is not a moving traffic offense under the provisions of § 32-12-49.1.

**SDCL 2-38-3. Exceptions to required use of safety belts**

The provisions of § 32-38-1 do not apply to:

- (1) Any occupant of a passenger vehicle **manufactured before September 1, 1973**;

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**State of South Dakota**  
**Motor Vehicle Division**  
**445 E. Capitol Avenue**  
**Pierre, SD 57501**

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**SDCL 32-9-3,**  
**32-5-113, 32-5-123,**  
**32-5-77, 32-5-77.2,**  
**32-5-65, 32-5-179,**  
**32-5-184**

**Application for South Dakota Special License Plate**

**Complete and submit this application to your County Treasurer's Office with applicable fees and proof of South Dakota residence.**

**A**  
Instructions

**B**  
Applicant Information

Name				
Mailing Address	City	State	ZIP	
County	Email Address	Phone		

**C**  
Vehicle Information

**Amateur/ Commercial Radio** — (SDCL 32-5-65 & 32-5-65.1) Applicant must either have a current unrevoked FCC amateur radio license or an unrevoked broadcast license. A copy of the FCC license must be included with this application. There is a \$5 mailing fee and a \$10 initial fee for this plate. The \$15 payment must be made with this application.



Year	Make	Model
Title Number	VIN Number	
FCC License Issue Date	Station Call Letter	



**Construction** — (SDCL 32-9-3 & 32-9-3.3) The vehicle must be inspected and approved by the Highway Patrol. There is a \$5 mailing fee and a \$25 annual fee for this plate. The \$30 payment must be made with this application.

Year	Make	Model
Title Number	VIN Number	



**Dignity** — (SDCL 32-5-184 to 32-5-186) There is a \$5 mailing fee and a \$10 initial fee for this plate. The \$15 payment must be made with this application.

Year	Make	Model
Title Number	VIN Number	



**Firefighter** — (SDCL 32-5-113 to 32-5-122) Applicant must be currently certified and recognized by the State Fire Marshal's office. There is a \$5 mailing fee and a \$10 initial fee for this plate. The \$15 payment must be made with this application.

Year	Make	Model
Title Number	VIN Number	
Affiliated Department		



