

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.

Historical Car. A motor vehicle that is more than thirty years old at the time of applying for registration and has been issued historical motor vehicle plates. Any such vehicle shall only be used for special occasions such as display, parades, exhibitions, tours and similar uses. The vehicle may not be used for general transportation but may be driven to and from service stations for fuel and repairs.

Titling & Registration

From Administrative Rules of South Dakota:

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.

64:30:05:08. Rebuilt vehicles. 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.

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.

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.

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:

TITLE 32. MOTOR VEHICLES
CHAPTER 32-3. TITLE REGISTRATION, LIENS AND TRANSFERS

S.D. Codified Laws § 32-3-64 (2016)

§ 32-3-64. Titling of **vehicle** eleven years or **older** with no existing records

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.

TITLE 32. MOTOR VEHICLES
CHAPTER 32-5. ANNUAL REGISTRATION AND LICENSE PLATES

S.D. Codified Laws § 32-5-30 (2016)

§ 32-5-30. Reduction of license fee for **vehicles** five years or **older**

If any noncommercial motor vehicle, according to the manufacturer's model year designation, is five 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.

TITLE 32. MOTOR VEHICLES
CHAPTER 32-5. ANNUAL REGISTRATION AND LICENSE PLATES

S.D. Codified Laws § 32-5-77 (2016)

§ 32-5-77. Specialty plates -- Historical car

Any person who is a resident of this state and the owner of a motor **vehicle** which is more than thirty **years old** at the time of applying for registration of the vehicle, may apply directly to the secretary for a set of license plates to be described as "**historical car**" license plates in lieu of the application provided for in §§ 32-5-2 and 32-5-3. The plates shall be issued to the applicant instead of the usual license plates after payment of a ten dollar registration fee. The license plates shall be permanent for the life of the vehicle. Any motor vehicle for which historical car license plates have been issued shall only be used for special occasions such as, display, parade, exhibitions, tours and similar uses. The vehicle may not be used for general transportation but may be driven to and from service stations for fuel and repairs. Fees collected under the provisions of this section shall be credited to the state motor vehicle fund.

TITLE 32. MOTOR VEHICLES
CHAPTER 32-3. TITLE REGISTRATION, LIENS AND TRANSFERS

S.D. Codified Laws § 32-3-22.1 (2016)

§ 32-3-22.1. Vehicle identification number -- Assignment -- Fee

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.

TITLE 32. MOTOR VEHICLES
CHAPTER 32-3. TITLE REGISTRATION, LIENS AND TRANSFERS

S.D. Codified Laws § 32-3-53 (2016)

§ 32-3-53. Rebuilt title -- Application -- Documentation -- Inspection authority

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.

TITLE 32. MOTOR VEHICLES
CHAPTER 32-3. TITLE REGISTRATION, LIENS AND TRANSFERS

S.D. Codified Laws § 32-3-57 (2016)

§ 32-3-57. Regulatory authority

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.

TITLE 32. MOTOR VEHICLES
CHAPTER 32-5. ANNUAL REGISTRATION AND LICENSE PLATES

S.D. Codified Laws § 32-5-77 (2016)

§ 32-5-77. **Specialty plates -- Historical car**

Any person who is a resident of this state and the owner of a motor vehicle which is more than thirty years old at the time of applying for registration of the vehicle, may apply directly to the secretary for a set of license **plates** to be described as "**historical car**" license **plates** in lieu of the application provided for in §§ 32-5-2 and 32-5-3. The plates shall be issued to the applicant instead of the usual license plates after payment of a ten dollar registration fee. The license plates shall be permanent for the life of the vehicle. Any motor **vehicle** for which **historical car** license **plates** have been issued shall only be used for special occasions such as, display, parade, exhibitions, tours and similar uses. The vehicle may not be used for general transportation but may be driven to and from service stations for fuel and repairs. Fees collected under the provisions of this section shall be credited to the state motor vehicle fund.

TITLE 32. MOTOR VEHICLES
CHAPTER 32-5. ANNUAL REGISTRATION AND LICENSE PLATES

S.D. Codified Laws § 32-5-77.2 (2016)

§ 32-5-77.2. **Specialty plates -- Historical car** -- Use of license from model year

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 car on which they are displayed. The number of the original plates shall be provided to the secretary. The original plates shall be in good condition and shall be used in pairs one to be displayed in the front of the car and one in the rear. 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.

TITLE 32. MOTOR VEHICLES
CHAPTER 32-3. TITLE REGISTRATION, LIENS AND TRANSFERS

S.D. Codified Laws § 32-3-51.19 (2016)

§ 32-3-51.19. "Salvage vehicle" defined

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.

TITLE 32. MOTOR VEHICLES
CHAPTER 32-3. TITLE REGISTRATION, LIENS AND TRANSFERS

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- (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.

Equipment Exemptions

From South Dakota Codified Laws:

TITLE 32. MOTOR VEHICLES
CHAPTER 32-15. VEHICLE AND ACCESSORY SPECIFICATIONS

S.D. Codified Laws § 32-15-2.1 (2016)

§ 32-15-2.1. Laminated safety glass windshield -- Frontal protection -- Minimum height

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.

TITLE 32. MOTOR VEHICLES
CHAPTER 32-17. VEHICLE LIGHTS AND FLARES

S.D. Codified Laws § 32-17-8 (2016)

§ 32-17-8. Tail lamps -- Minimum requirements -- Mounting -- 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.

TITLE 32. MOTOR VEHICLES
CHAPTER 32-17. VEHICLE LIGHTS AND FLARES

S.D. Codified Laws § 32-17-8.1 (2016)

§ 32-17-8.1. Stop lamps -- Minimum requirements -- Mounting -- Petty offense

Except for vehicles equipped with slow-moving vehicle emblems in compliance with §§ 32-15-20 and 32-15-21 every motor vehicle, trailer, semitrailer and pole trailer shall be equipped with two or more stop lamps, except that motor **vehicles**, trailers, semitrailers and pole trailers **manufactured** and assembled **prior** to July 1, 1973, and motorcycles and motor driven cycles shall be equipped with at least one stop lamp. The 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. The 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 distance shall be not less than one hundred fifty feet. The stop lamp shall be actuated upon application of the service (foot) brake which may be incorporated with one or more rear lamps. A violation of this section is a petty offense.

TITLE 32. MOTOR VEHICLES
CHAPTER 32-18. BRAKES AND BRAKE FLUID

S.D. Codified Laws § 32-18-5 (2016)

§ 32-18-5. Brakes to act on all wheels -- Exceptions -- Truck and truck tractors

Any truck and truck tractor having three or more axles need not have brakes on the front wheels if the **vehicle was manufactured before** July 25, 1980. If any truck and truck tractor having three or more axles is equipped with at least two steerable axles, the wheels of one steerable axle need not have brakes. However, such trucks and truck tractors shall be capable of complying with the performance requirements of §§ [32-18-8](#) and [32-18-9](#).

TITLE 32. MOTOR VEHICLES
CHAPTER 32-38. SAFETY BELT SYSTEM USAGE IN PASSENGER VEHICLES

S.D. Codified Laws § 32-38-3 (2016)

§ 32-38-3. Inapplicability of Section 32-38-1

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

- (1) Any occupant of a passenger **vehicle manufactured before** September 1, 1973;
- (2) Any occupant of a passenger vehicle who possesses a written statement from a doctor licensed under chapter 36-4 or 36-5 that the individual is unable for medical reasons to wear a safety seat belt system;
- (3) Any occupant of a vehicle not equipped with a safety seat belt system because federal law does not require that vehicle to be so equipped; or
- (4) Any rural carrier of the United States postal service while serving his rural postal route or any person delivering newspapers or periodicals on an assigned home delivery route.

Emissions Exemptions

South Dakota does not operate a vehicle emissions testing program.