CHAPTER 61:24:02

LICENSE PROCEDURE

Section

61:24:02:01. Application process -- Dealer license. The department shall ~~provide~~publish dealer license application forms ~~to each county treasurer~~online. ~~The applicant for an initial dealer license or for renewal of a dealer license shall obtain an application form from the county treasurer's office in the county in which the dealer's principal place of business is located. A complete application includes a completed application form containing the information~~ A completed form must contain, as applicable, the following:

(1) Information required by SDCL 32-6B-6, 32-6C-3, 32-7A-4.1, and 32-7B-4~~, the~~;

(2) The license fee set forth in SDCL 32-6B-13, 32-6C-5, 32-7A-7, and 32-7B-8 or the renewal fee set forth in SDCL 32-6B-15, 32-6C-5, 32-7A-7, and 32-7B-8~~, the~~; and

(3) The bond required by SDCL 32-6B-7, 32-6C-4, 32-7A-5, and 32-7B-6. ~~A complete application filed with the county treasurer is considered to be filed with the department.~~ For a license renewal application, a bond continuation certificate or other evidence of

compliance with ~~the~~ these bond requirements ~~of SDCL 32-6B-7, 32-6C-4, 32-7A-5, and 32-7B-6~~ sent directly to the department fulfills the bonding requirement.

Source: 16 SDR 111, effective January 7, 1990; 24 SDR 180, effective July 1, 1998.

General Authority: SDCL 32-6B-60, 32-6C-17, 32-7A-14.1, 32-7B-20.

Law Implemented: SDCL 32-6B-6, 32-6B-7, 32-6B-12 to 32-6B-15, inclusive, 32-6C-3 to~~, 32-6C-4,~~ 32-6C-5, inclusive, 32-7A-4.1, 32-7A-5, 32-7A-7, 32-7B-4, 32-7B-6, 32-7B-8.

61:24:02:03. Dealer license renewal. Each year after an initial license is issued and at least three months before the ~~deadline date for renewal of the~~ license renewal deadline described below, the department shall send the licensee ~~an electronic or written verification~~ a renewal notice. The notice ~~shall~~must contain the deadline for renewal and information ~~included~~ in the department's records pertaining to the dealership. The ~~dealer~~ licensee shall verify the information, ~~supply required information to~~ update the information~~, if~~ as necessary, sign the notice, ~~and return the notice, along with any required fees, to the county treasurer's office of the county in which the dealership is located, if the dealer is exempted from using the online dealer system under § 61:24:03:12, or electronically on the dealer system~~ and pay any required fees. The notice, fees, and any required documentation must be received ~~electronically~~ by the department ~~or by the county~~ before the deadline ~~date designated on the notice~~. The notice deadline ~~date shall be~~is the month before the last day of the month assigned to the licensee for renewal of a dealer license. The department’s review date is the last day of the month assigned to the licensee for renewal of a dealer license. ~~The county treasurer shall invoice the fees and submit the notice and any supporting documentation to the department. The licensee, upon~~ Upon completion of the renewal notice process, the department ~~shall receive~~must send an updated electronic ~~or hard copy of the~~ dealer license to the licensee.

Source: 24 SDR 180, effective July 1, 1998; 45 SDR 83, effective December 18, 2018. **General Authority:** SDCL 32-6B-14, 32-6C-17, 32-7A-14.1, 32-7B-20. **Law Implemented:** SDCL 32-6B-14, 32-7B-8.

61:24:02:04. Initial and renewal staggered licensing of boat dealers. A boat dealer shall obtain a license and renew a license on a staggered licensing system.

In the initial period, a boat dealer must apply for a boat dealer license and pay the entire initial year fee. ~~The boat dealer shall apply to the county treasurer's office of the county in which the dealership is located. The county treasurer shall invoice the fees and collect the application and any other required documentation and file the application and documentation with the department.~~

After ~~renewing~~ reviewing the application and documentation, the department may issue the initial license. ~~At the time of application for the initial license, the boat dealer shall indicate a preference month to renew the license. If the licensee has other types of dealer licenses, the dealer must renew each license during the assigned staggered license renewal month.~~ The department will assign a renewal month at the time of application. During the initial renewal the license fees shall be prorated on a monthly basis. ~~If the renewal month is less than six months, the boat dealer shall license and pay license fees to the assigned month in the following year. No license may be issued or fees collected for less than six months or more than eighteen months.~~

~~After the initial licensing period, a new boat dealer shall renew a license based on the month the initial license is issued.~~

Source: 24 SDR 180, effective July 1, 1998; 35 SDR 48, effective September 28, 2008.

General Authority: SDCL 32-6C-17, 32-7A-14.1, 32-7B-20.

Law Implemented: SDCL 32-7B-8.

61:24:02:05. Initial and renewal staggered licensing of dealers. A dealer shall obtain a license and renew a license on a staggered licensing system. If the licensee has multiple dealer licenses, the dealer shall renew each license during one assigned staggered license renewal month.

~~A dealer shall renew the license through the county treasurer of the county in which the dealership is located. The county treasurer shall invoice the fees and collect the application and any other required documentation and file the title application and documentation with the department. The dealer shall indicate a preference month to renew the license. If the licensee has multiple dealer licenses, the dealer shall renew each license during one assigned staggered license renewal month.~~

~~For the initial license period, the license fee shall be the full fee for a year period. Upon renewal the fee shall be prorated to the staggered month. If the renewal month is less than six months, the dealer shall license and pay license fees to the assigned month in the following year. No license may be issued or fees collected for less than six months or more than eighteen months.~~

~~After the initial licensing period, a new dealer has the option of renewing the license based on the month the initial license is issued or designating a preference for a different renewal month.~~

Source: 24 SDR 180, effective July 1, 1998; 35 SDR 48, effective September 8, 2008.

General Authority: SDCL ~~32-6B-14,~~ 32-7A-14.1, 32-7B-8, 32-7B-20.

Law Implemented: SDCL 32-6B-14, 32-7B-8.

CHAPTER 61:24:03

CONDUCT OF BUSINESS

Section

61:24:03:08. Dealer lists. ~~A request for a list of licensed South Dakota dealers authorized to be released by SDCL 32-6B-68 must be made to the department in writing. Except as provided in SDCL 32-6B-68, the fee for the list is $100~~ Repealed.

Source: 24 SDR 31, effective September 17, 1997.

~~**General Authority:** SDCL 32-6B-68.~~

~~**Law Implemented:** SDCL 32-6B-68.~~

61:24:03:12. Exemption from on-line requirements. ~~A dealer licensed prior to July 1, 2008, who sells less than fifteen vehicles per year or a manufactured home dealer who sells less than five homes per year and who does not have access to a computer at the principal place of business may apply to the department for an exemption from having to use the on-line computer system. If the exemption is approved the dealer shall submit a report of sale within fifteen days of the date of sale to the purchaser's county treasurer along with a $5 fee~~ Repealed.

Source: 35 SDR 48, effective September 8, 2008; 45 SDR 83, effective December 18, 2018.

~~**General Authority:** SDCL 32-7A-14.1, 32-6B-60, 32-7B-20.~~

~~**Law Implemented:** SDCL 32-7A-14.1, 32-3-38.3.~~

61:24:03:13. Billing requirements. A dealer or lender ~~shall be~~is billed monthly for the use of the ~~on-line~~online system if the balance due is over ~~$50~~fifty dollars. If the balance is ~~$50~~fifty dollars or less, the user ~~shall be~~is billed when the balance reaches ~~$50~~fifty dollars or at the time of renewal, whichever occurs first. A dealer or lender shall pay any remaining balance due before renewal. Failure to make payment ~~shall result~~results in interest accruing at the rate of one and one-quarter percent per month or ~~$5~~five dollars whichever is greater for the first month and one and one-quarter percent for each month thereafter. ~~If delinquent for three or more months further action will be taken.~~

Source: 35 SDR 48, effective September 8, 2008.

General Authority: SDCL 32-6B-60, 32-7B-20.

Law Implemented: SDCL 32-3-57.

CHAPTER 61:24:04

PERMITS

Section

61:24:04:08. Special plate order permit. ~~Any applicant who applies for a special plate shall be issued a 45-day "PLATE ORDERED" permit at no charge. The permit is void after 45 days or upon receipt of the actual special plate whichever comes first~~ Transferred to § 64:29:03:11.

Source: 35 SDR 48, effective September 8, 2008; SL 2015, ch 156, § 20, effective July 1, 2015.

~~**General Authority:** SDCL 32-6B-60, 32-7B-20.~~

~~**Law Implemented:** SDCL 32-6B-60, 32-7B-20.~~

CHAPTER 64:17:01

MOBILE/MANUFACTURED HOME REGISTRATON

Section

64:17:01:02. Form required for notice to county treasurer of abandoned mobile/manufactured home. ~~The form for the written notice to the county treasurer of an abandoned mobile/manufactured home required by SDCL 21-54-16 is MV-3013. Form MV-3013 if published in Appendix A at the end of this chapter~~ Repealed.

Source: 33 SDR 226, effective June 27, 2007; transferred from § 64:04:01:33, 35 SDR 88, effective October 27, 2008.

~~**General Authority:** SDCL 21-54-16.~~

~~**Law Implemented:** SDCL 21-54-16.~~

~~DEPARTMENT OF REVENUE AND REGULATION~~

~~ABANDONED MOBILE/MANUFACTURED HOME FORMS~~

~~Chapter 64:17:01~~

~~APPENDIX A~~

~~SEE: § 64:17:01:01 to 64:17:01:04, inclusive~~

Source: 33 SDR 226, effective June 27, 2007; transferred from Chapter 64:04:01, Appendix D, 35 SDR 88, effective October 27, 2008.

MV-3015
Revised 05/07

Notice of Intent to Sell Mobile/Manufactured Home

South Dakota Department of Revenue & Regulation
Division of Motor Vehicles
445 E. Capitol Avenue | Pierre, SD 57501-3185 | 605-773-3541 | Fax 605-773-8152

Date___________________________

To: (Registered Owner)

____

To: (Lienholder) - If Applicable

____

From: (Real Property Owner)

____

Telephone Number: (   ) ______________________________

Mobile/Manufactured Home Information

Make:___________________________________ Year: _________________________
Serial Number____

The mobile/manufactured home noted above has been left on leased real property at ____ (location). The court has issued a Writ of Possession and the home is considered abandoned if it is not removed within 30 days of this notice. Notice is here by given that the above home will be offered for sale, pursuant to chapter 21-54, if the home is not removed within 30 days of receipt of this notice.

____
Real Property Owner Signature

Distribution: Original Copy - Registered Owner
Canary Copy - DMV
Pink Copy - Real Property Owner

MV-3013 Revised 05/07	**NOTICE TO COUNTY TREASURER OF ABANDONED MOBILE/MANUFACTURED HOME** South Dakota Department of Revenue & Regulation Division of Motor Vehicles 445 E. Capitol Avenue | Pierre, SD 57501-3185 | 605-773-3541 | Fax 605-773-8152

Date____________________________

To: (County Treasurer)

____

____

____

Mobile/Manufactured Home Information

Make:____________________________________ Year: __________________________

Serial Number____

From: (Real Property Owner)

____

____

____

Telephone Number: (   ) ______________________________

Notice is hereby given of the intent to sell the above referenced mobile/manufactured home in accordance with the provisions found in SDCL 21-54-16.

I hereby attest that 30 days has passed since Notice of Intent to Sell Mobile/Manufactured Home has been given to the owner and, if applicable, the lienholder of the home.

I understand that if I have not received notice as to the issuance of a distress warrant or information of such issuance within 30 days of this notice, or if the home has not been removed by the owner or lienholder within 30 days of Notice of Intent to Sell Mobile/Manufactured Home, I am authorized to proceed with the sale of the home.

____

Real Property Owner Signature

Distribution: Original Copy - County Treasurer
Canary Copy - DMV
Pink Copy - Real Property Owner

MV-608
Revised
07/05

State of South Dakota
Application for Motor Vehicle Title & Registration

DMV Copy
2nd copy (yellow) - Co. Treasurer
3rd copy (pink) - Customer
4th copy (gold) - Dealer

I. This application is for (Check Only One)		Brand (Check if applicable)	**County Use Only**	Title Co. No.	Reg. Co. No.	SD Title No.
Transfer - New or Out of State ☐		X-Junking Certificate ☐	RMI	Ton	Reg. Date	SD License No. Pri. Sec
Interstate ☐	Abandoned ☐	S-Salvage-Total Loss ☐				
Repossession ☐	Operation by Law ☐	B-Rebuilt ☐				

III. 1-4 Owner's/Lessor's Name: (Last, First, Middle); Description of type of ownership (and, or, DBA, WROS, Guardianship, lessee, lessor, etc.); Identification number (SD Dr. Lic. or SS No.)

	Owner/Lessor & Lessee	Type of Ownership	SD Driver's License No. or Social Security No.
1.			
2.			
3.			
4.			

ADDRESS

Owner/Lessor Address	City	State	Zip Code
Lessee Address	City	State	Zip Code

IV. Primary VIN or Serial Number:

Make	Model	Body Type	Veh. Code	Year	Weight/CC	Color	Fuel	Previous State/Title Brand

Secondary VIN or Serial Number: **Year:** **Make:**

Odometer (Complete for vehicles 9 years old or newer):

Odometer Indicator (Check one): ☐ Actual Mileage ☐ Exceeds Odometer's Mechanical Limits ☐ Not Actual Mileage

Dealer Price Certification: I hereby certify that the purchase price and trade-in allowance in Item V of the application is correct and that all accessories and added equipment have been reported.

Dealer Name and Number | Signature of Dealer or Dealer's Agent | Dealer Sold Permit

Vehicle Trade-In

Year | Make | Serial Number | SD Title Number

V. Motor Vehicle Purchaser's Certificate

1. Purchase Price (See Reverse Side) Bill of Sale Not Available ☐ Computer NADA'ED ☐ .... $	**Note:** A guide published by the automobile industry will be used to check values.
2. Less Trade-In Allowance............ $	**Purchased From**
3. Difference............ $	Name
4. Tax 3% of Line 3. Manufactured Homes 4%............ $	
5. Credit for Tax Paid to Another State............ $	Mailing Address
6. Title Fee and Penalty Fee............ $	
7. License Fee............ $	**Important:** Original title will be mailed to the owner unless otherwise indicated.
8. Solid Waste Fee............ $	**Check One:** ☐ Mail to Lienholder ☐ Mail to Owner
9. County Wheel Tax (if applicable)............ $	1st Lien holder
10. Other Fees............ $	Mailing Address
11. Balance Due............ $	City/State/Zip Code
PENALTY: Any person failing to pay the full amount of excise tax is subject to a Class 1 misdemeanor.	
☐ **Tax Exempt** (if claiming exemption, list exemption # from Section VI on back of form.)	2nd Lien holder
☐ **Rental Vehicle/SD Sales Tax #**	Mailing Address
☐ **Title Only** (NOTE: If applying for a "Title Only" in signing this application, you are attesting that the vehicle will not be used upon the streets and highways of this state or any state.)	City/State/Zip Code
	Note any additional liens in section IX on reverse side

The applicant, under penalties of law and as rightful owner of the vehicle described on this application, declares that the information set forth on this application is true and correct.

If the vehicle is co-owned, all owners must sign. If the vehicle is company owned, the company name and title of authorized agent signing the application must be noted. **PENALTY: Any person who intentionally falsifies information on this application is guilty of a Class 6 felony.**

Signature **Date**

Signature **Date**

Continuation of Application for Motor Vehicle Title & Registration

VI

TAX EXEMPTIONS: If vehicle is exempt from tax, enter number corresponding to exemption in item "V" of the application. Exemptions 05 thru 11 must have been titled previously in S.D. Refer to an MV-609, or SDCL 32-5B-2, for a complete list of exemptions.

01. Vehicle owned by United States, state, county, municipality, public school corporation, Indian tribes or schools, non-profit adjustment training centers, fire departments, buses owned by churches, or farm vehicles as defined in SDCL 32-5-1.3.
02. Vehicle acquired by inheritance from or bequest of a decedent.
03. Vehicle previously titled or licensed jointly in the names of two or more persons and subsequently transferred without consideration to one or more of such persons.
04. Vehicle transferred without consideration between spouses, between a parent and child, and between siblings.
05. Vehicles transferred pursuant to any mergers or consolidations or corporations.
06. Vehicle transferred by a subsidiary corporation to its parent corporation.
07. Vehicle transferred between an individual and a corporation where the individual and the owner of the majority of the capital stock of the corporation are one and the same.
08. Vehicle transferred between a corporation and its stockholders or creditors when to effectuate a dissolution of the corporation.
09. Vehicle transferred between an individual and a limited or general partnership where the individual and the owner of the majority interest in the partnership are one and the same person.
10. Vehicle transferred to effect a sale of all or substantially all of the assets of the business entity.
11. Vehicle transferred between corporation, both subsidiary and nonsubsidiary, if the individuals who hold a majority of stock in the first corporation also hold a majority of stock in the second corporation; but these individuals need not hold the same ratio of stock in both corporations.
12. Vehicle acquired by a secured party or lienholder in satisfaction of a debt.
13. Vehicle first transferred to a person other than a licensed motor vehicle dealer when such vehicle was previously license and registered pursuant to SDCL 32-5-27 (exemption applies only if title previously coded 27).
14. Any motor vehicle sold or transferred which is eleven or more model years old and which is sold or transferred for $2,200 or less, before trade-in.

VII

PURCHASE PRICE IS:

(1) For a new motor vehicle sale or lease, the total consideration whether received in money or otherwise. However, when a motor vehicle is taken in trade as credit or part payment on a new motor vehicle, the credit or trade-in value allowed by the seller shall be deducted from the total consideration for the new vehicle to establish the purchase price.

(2) For a used motor vehicle sold or leased by a licensed motor vehicle dealer, the total consideration for the used motor vehicle whether received in money or otherwise. However, when a motor vehicle is taken in trade by the dealer as a credit or part payment on a used motor vehicle, the credit or trade-in value allowed by the dealer shall be deducted from the consideration so that the net consideration is established.

(3) For a used motor vehicle sold, leased or transferred by any person other than a licensed motor vehicle dealer, the total consideration received in money or otherwise. However, when a motor vehicle is taken in trade as a credit or part payment on a used motor vehicle, the credit or trade-in value shall be deducted from the total consideration so that the net consideration is established. The purchaser and seller of the motor vehicle shall submit to the county treasurer a bill of sale, approved and supplied by the secretary. If a bill of sale is not submitted, the excise tax will be assessed on the retail value as stated in a nationally recognized dealers' guide as approved by the secretary of revenue. If the excise tax is assessed on the retail value, the value of the motor vehicle taken in as credit on trade-in shall be the retail value as stated in the nationally recognized dealers' guide.

(4) For a new or used motor vehicle acquired by gift or other transfer for no or nominal consideration, the manufacturer's suggested dealer list price for new motor vehicles and for used motor vehicles the value stated in a nationally recognized dealers' guide approved and furnished by the secretary of revenue.

(5) For a motor vehicle manufactured by a person who registers it under the laws of this state, the amount expended for materials, labor and other properly allocable costs of manufacture or in the absence of actual expenditures for the manufacture of a part or all of the motor vehicle, the reasonable value of the completed motor vehicle.

(6) For a rebuilt motor vehicle, upon its initial registration and titling, the total consideration for the salvage vehicle, whether received in money or otherwise.

(7) For a closed lease, total consideration is all lease payments including cash, rebates, the net trade-in, extended warranties, administrative fees, acquisition fees, or any other fees assessed on the purchase of the vehicle. Total consideration does not include title fees, registration fees, or state and federal excise tax, insurance and refundable deposits.

(8) For an open end lease or lease in which the terms of the lease are not certain at the time the lease contract is executed, purchase price is the purchase price of the vehicle, plus cash, rebates, the net trade-in, extended warranties, administrative fees, acquisition fees, or any other fees assessed on the purchase of the vehicle. Total consideration does not include title fees, registration fees, state or federal excise tax, insurance and refundable deposits.

VIII

MOUNTED EQUIPMENT: If price of mounted equipment was not included in purchase price, has sales tax or use tax been paid on mounted equipment?

YES NO If yes, attach proof of tax paid.

NOTE: An invoice must be attached if purchased from a dealer. If purchased from other than a dealer, please give description, cost and from whom the mounted equipment was purchased.

Purchased from:

Cost	Description	Name	Address	State	Zip

IX

ADDITIONAL LIENS:

3rd Lienholder ______________________

Mailing Address ______________________

City ______________________ State __________ Zip Code __________

~~MV-3014
Revised 05/07~~

~~# AFFIDAVIT FOR PURPOSE OF MOVEMENT OF AN ABANDONED MOBILE/ MANUFACTURED HOME~~

~~South Dakota Department of Revenue & Regulation
Division of Motor Vehicles
445 E. Capitol Avenue | Pierre, SD 57501-3185 | 605-773-3541 | Fax 605-773-8152~~

~~Affiant Name: ______________________________~~

~~Address: ______________________________~~

~~**Mobile/Manufactured Home Information**~~

~~Make:______________________ Year: ______________~~
~~Serial Number______________________________~~

~~I hereby affirm under oath, for the purpose of obtaining a mobile/manufactured home moving permit for the above mobile/manufactured home, that I have obtained title to the abandoned home for the sole purpose of moving the home from real property owned by me and located at ______________________________ for disposal of the home. Further, I am aware that since the home is being removed solely for this purpose that I am not liable for payment of the current year's taxes.~~

~~Signature of Affiant: ______________________________~~

~~State of South Dakota
County of: ______________________________SS.~~

~~Subscribed and Sworn to before me this _______ day of ______________________, 20______~~

~~Signature of Notary Public or County Treasurer: ______________________________~~

~~Date Commission Expires: ______________________________~~

ARTICLE 64:28

VEHICLE LICENSING

Chapter

64:28:01 General provisions.

64:28:02 Initiated procedures, Repealed.

64:28:03 Application requirements.

64:28:04 New vehicles, trailers, snowmobiles.

64:28:05 Vehicles previously registered.

64:28:06 Duplicate certificates.

64:28:07 Void and replacement certificates.

64:28:08 Change of county residence, Repealed.

64:28:09 Assignment of certificate of title.

64:28:10 Corrections of titles.

64:28:11 Conversion of body type and rebuilt motor vehicles.

64:28:12 Liens.

64:28:13 Transfer of ownership.

64:28:14 Salvage titles, Repealed.

64:28:15 Tax exemptions.

CHAPTER 64:28:03

APPLICATION REQUIREMENTS

Section

64:28:03:01 Repealed.

64:28:03:02 Signature of owner required.

64:28:03:04.01. Damage noted on titles prior to July 1, 1992, and prior to July 1, 1999. ~~If a vehicle's certificate of title indicates that the vehicle has sustained $1,000 or more of damage before July 1, 1992, each subsequent title issued in South Dakota for that vehicle shall note $1,000 or more of damage unless a subsequent damage disclosure statement was required to be furnished after June 30, 1992.~~

~~If a vehicle's certificate of title indicates that the vehicle has sustained $2,000 or more of damage after June 30, 1992, but before July 1, 1999, each subsequent title issued in South~~

~~Dakota for that vehicle shall note $2,000 or more of damage unless a damage disclosure statement required to be furnished after June 30, 1999, indicates subsequent damage to the vehicle of $3,000 or more. In that event, each subsequent title shall be noted to indicate that the vehicle has sustained damage of $3,000 or more.~~

~~If a vehicle's certificate of title indicates that the vehicle has sustained $3,000 or more of damage after June 30, 1999, but before July 1, 2003, each subsequent title issued in South Dakota for that vehicle shall note $3,000 or more of damages unless a damage disclosure statement required to be furnished after June 30, 2003, indicates subsequent damage to the vehicle of $5,000 or more. In that event, each subsequent title shall be noted to indicate that the vehicle has sustained damage of $5,000 or more~~ Repealed.

Source: 19 SDR 42, effective September 29, 1992; 27 SDR 147, effective July 8, 2001; 29 SDR 177, effective July 2, 2003.

~~**General Authority:** SDCL 32-3-57(2)(7).~~

~~**Law Implemented:** SDCL 32-3-51.7, 32-3-51.8, 32-3-51.9.~~

CHAPTER 64:28:15

TAX EXEMPTIONS

Section

64:28:15:01. Rental company excise tax exemption -- Conditions for eligibility. Regardless of whether an exemption was previously granted, to be eligible for a rental company excise tax exemption, rental companies seeking a motor vehicle excise tax exemption under SDCL subdivision 32-5B-2(18) must:

(1) Hold a valid sales tax license in good standing pursuant to SDCL chapter 10-45;

(2) Operate a place of business as defined in § 64:28:15:02; and

(3) Maintain proper records at the rental company's principal place of business that would provide evidence supporting the business qualification for the exemption.

Source:

General Authority: SDCL 32-5B-15.

Law Implemented: SDCL 32-5B-1.2, 32-5B-2(18).

Cross-Reference: Rental vehicle and leased vehicle defined, SDCL 32-5B-19.

64:28:15:02. Place of business -- Defined. For purposes of this chapter, the term "place of business" means the location within this state at which a rental company's business is lawfully conducted in accordance with all applicable building codes, zoning, and other land use ordinances. The place of business must be easily accessible and open to the public at least twenty hours per week. The hours of operation of the rental company and an operating telephone number must be clearly posted at or near the main entrance to the office. Each location shall display an exterior sign indicating the company, which must be legible from the public right-of-way serving the business location. The place of business shall also have an improved display area, immediately adjoining the building, that is large enough to display five or more vehicles of the type the rental company has available for rent. In no event may rooms in a hotel, motel, apartment, house, or any part of a single- or multiple-unit dwelling be considered a place of business, unless the entire ground floor is devoted to and occupied for commercial purposes, one of which is the car rental company.

Source:

General Authority: SDCL 32-5B-15.

Law Implemented: SDCL 32-5B-1.2, 32-5B-2(18).

64:28:15:03. Records available for inspection. Any rental company that claims exemption from the motor vehicle excise tax, pursuant to this chapter, shall keep and maintain any books, records, or files that indicate compliance with this chapter. The books, records, and files are subject to inspection by the department during business hours. A rental company shall maintain these records for five years following any transaction.

Source:

General Authority: SDCL 32-5B-15.

Law Implemented: SDCL 32-5B-1.2, 32-5B-2(18).

CHAPTER 64:29:03

LICENSING

Section

64:29:03:11. Special plate order permit. Any applicant who applies for a special plate must be issued a "PLATE ORDERED" permit at no charge. The permit is void after forty-five days or upon receipt of the actual special plate, whichever comes first.

Source: 35 SDR 48, effective September 8, 2008; SL 2015, ch 156, § 20, effective July 1, 2015; transferred from § 61:24:04:08.

General Authority: SDCL ~~32-6B-60~~32-5-111, 32-7B-20.

Law Implemented: SDCL ~~32-6B-60~~32-5-111, 32-7B-20.

ARTICLE 64:33

COMMERCIAL LICENSING

Chapter

64:33:01 Permits.

CHAPTER 64:33:01

PERMITS

Section

64:33:01:01 Demonstration individual trip permit – Fee, Repealed.

64:33:01:01. Demonstration individual trip permit -- Fee. ~~A demonstration individual trip permit may be obtained only if the person seeking the permit holds a master demonstration commercial license permit pursuant to SDCL 32-6B-31.~~

~~The department sells the master demonstration commercial license permits and the individual trip permits described in SDCL 32-6B-32. The fee for a book of 10 individual trip permits is $150~~ Repealed.

Source: 15 SDR 58, effective October 19, 1988; 23 SDR 117, effective January 27, 1997; 30 SDR 58, effective November 5, 2003.
~~**General Authority:** SDCL 32-6B-33.~~
~~**Law Implemented:** SDCL 32-6B-31 to 32-6B-33.~~