

AN ACT

ENTITLED, An Act to increase the period an instructor permit is valid and to revise the requirements to upgrade to an operator's licence or a restricted minor's permit.

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

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

32-12-11. Any person who is at least fourteen years of age but less than eighteen years of age applying for a South Dakota operator's license, restricted minor's permit, or instruction permit who does not currently hold an operator's license, motorcycle operator's license, restricted minor's permit, motorcycle restricted minor's permit, instruction permit, or motorcycle instruction permit shall apply to the Department of Public Safety for an instruction permit. If an applicant holds an instruction permit that has been valid continuously for one hundred eighty days, and is still currently valid or that has been expired for thirty days or less, the department shall waive the knowledge test to upgrade to an operator's license, motorcycle operator's license, restricted minor's permit, or motorcycle restricted minor's permit. If the licensee applies and makes payment of the required fee thirty-one or more days after the expiration date of the permit, the licensee shall take the knowledge test as required by § 32-12-4 and may take the skill test for an operator's license. The department may, after the applicant has successfully passed all parts of the examination other than the driving test and paid a fee which is equal in amount to the fee prescribed for a license in § 32-12-16, issue to the applicant an instruction permit. The instruction permit entitles the applicant, while having the permit in the applicant's immediate possession, to drive a motor vehicle upon the public highways for a period of five years during the hours of 6 a.m. to 10 p.m. if accompanied by a person holding a valid operator's license who is at least eighteen years of age, has had at least one year of driving experience, and who is occupying a seat beside the applicant. The applicant is entitled to drive a motor vehicle upon the public highways during the hours of 10 p.m. to 6 a.m. if the motor vehicle

is being operated under the direction of the applicant's parent or guardian who is occupying a seat beside the applicant. No holder of an instruction permit may use any type of wireless communication device while operating a motor vehicle upon the public highways. The holder of an instruction permit may apply for a restricted minor's permit or operator's license after holding a valid instruction permit for one hundred eighty continuous days.

An Act to increase the period an instructor permit is valid and to revise the requirements to upgrade to an operator's licence or a restricted minor's permit.

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I certify that the attached Act originated in the

SENATE as Bill No. 107

Secretary of the Senate

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President of the Senate

Attest:

Secretary of the Senate

Speaker of the House

Attest:

Chief Clerk

Senate Bill No. 107
File No. _____
Chapter No. _____

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Received at this Executive Office this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor

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The attached Act is hereby approved this _____ day of _____ , A.D., 20____

Governor

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STATE OF SOUTH DAKOTA,
ss.

Office of the Secretary of State

Filed _____ , 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State