



## 2025 South Dakota Legislature

# Senate Bill 75

SENATE STATE AFFAIRS ENGROSSED

Introduced by: **Senator Hulse**

1 **An Act to require an indication of United States citizenship status on a motor vehicle**  
 2 **operator's license or permit, and on a nondriver identification card.**

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

4 **Section 1. That § 32-12-17.10 be AMENDED:**

5 **32-12-17.10.** An operator's license, motorcycle operator's license, restricted  
 6 minor's permit, motorcycle restricted minor's permit, instruction permit, and motorcycle  
 7 instruction permit ~~shall~~ must bear a:

8 (1) A distinguishing number assigned to the licensee, ~~the;~~

9 (2) The full legal name or any name lawfully taken;

10 (3) The holder's date of birth;

11 (4) The holder's gender;

12 (5) The holder's principal residence address, ~~an;~~

13 (6) An indication if the licensee is a donor pursuant to chapter 34-26, ~~an;~~

14 (7) An indication if the licensee has a living will pursuant to chapter 34-12D or a  
 15 durable power of attorney for health care pursuant to chapter 59-7, ~~an;~~

16 (8) An indication if the licensee is a veteran pursuant to the provisions of § 32-12-  
 17 17.15, ~~a;~~

18 (9) A full facial digital photograph, ~~a;~~

19 (10) A brief description of the licensee, ~~the;~~

20 (11) The licensee's signature, ~~security;~~

21 (12) Security features designed to deter forgery and counterfeiting, to promote an  
 22 adequate level of confidence in the authenticity of the cards, and to facilitate  
 23 detection of fraudulent cards, ~~the;~~

24 (13) The issue date of the license, ~~the;~~

25 (14) The expiration date of the license, ~~an;~~

1 (15) An indication that the license is temporary or for a limited term if the holder has  
 2 temporary lawful status in the United States,~~the;~~

3 (16) An indication if the holder is a United States citizen;

4 (17) The name of this state;~~and a~~

5 (18) A security marking approved by the United States Department of Homeland  
 6 Security reflecting the level of compliance with 6 C.F.R. Part 37~~as amended~~  
 7 through (January 1, 2015.~~The department shall indicate upon each license);~~ and

8 (19) An indication of the general class of vehicles that the licensee may drive.

9 The back of the license ~~shall~~ must contain a barcode. The department shall include  
 10 in the barcode the name of this state, the information printed on the license, the card  
 11 design revision date indicating the most recent change or modification to the visible format  
 12 of the card, and an indicator if the license is temporary or limited term. No barcode, or  
 13 other means by which information may be retrieved electronically, may contain the  
 14 licensee's social security number.

15 **Section 2. That § 32-12-17.2 be AMENDED:**

16 **32-12-17.2.** The Department of Public Safety may issue upon application a  
 17 nondriver identification card, similar in form but distinguishable in color from a driver  
 18 license, to any resident of this state. Each applicant for a nondriver identification card  
 19 shall, as part of the application, present to the department a certified copy of a certificate  
 20 of birth or another form of evidence of date of birth and identity as allowed by § 32-12-  
 21 3.1.

22 Except as provided in § 32-12-17.16, the fees for a nondriver identification card  
 23 are the same as prescribed for a driver license in § 32-12-16. Each nondriver identification  
 24 card expires on the holder's birthday in the fifth year following the issuance of the  
 25 nondriver identification card, or on the date of expiration of the applicant's authorized stay  
 26 in the United States as determined by the systematic alien verification for entitlements  
 27 system or alternate method approved by the United States Department of Homeland  
 28 Security or, if there is no expiration date, for a period no longer than one year from date  
 29 of issuance, whichever occurs first. Each nondriver identification card is renewable one  
 30 hundred eighty days before its expiration upon application and payment of the required  
 31 fee. Any nondriver identification card renewed before its expiration expires five years after  
 32 the holder's ensuing birthday, or on the date of expiration of the applicant's authorized  
 33 stay in the United States as determined by the systematic alien verification for  
 34 entitlements system or alternate method approved by the United States Department of

1 Homeland Security or, if there is no expiration date, for a period no longer than one year  
2 from date of issuance, whichever occurs first.

3 The nondriver identification card must bear an indication if the holder ~~has~~:

4 (1) Has a living will pursuant to chapter 34-12D or a durable power of attorney for  
5 health care pursuant to chapter 59-7 ~~and an indication if the holder is;~~

6 (2) Is a veteran pursuant to the provisions of § 32-12-17.15; and

7 (3) Is a United States citizen.

8 Any nondriver identification card renewed during the thirty-day period following  
9 the date of expiration expires five years from the holder's previous birthday, or on the  
10 date of expiration of the applicant's authorized stay in the United States as determined by  
11 the systematic alien verification for entitlements system or alternate method approved by  
12 the United States Department of Homeland Security or, if there is no expiration date, for  
13 a period no longer than one year from date of issuance, whichever occurs first.