STATE OF SOUTH DAKOTA
OFFICE OF THE GOVERNOR
EXECUTIVE ORDER 2021-04

Whereas, An outbreak of the severe respiratory disease, COVID-19, which is caused by the person-to-person spread of the novel coronavirus, started in late 2019 and has been detected across the world, including the United States; and,

Whereas, The World Health Organization and the Centers for Disease Control and Prevention ("CDC") have declared the COVID-19 outbreak a public health emergency and pandemic; and,

Whereas, The CDC issued guidance to all state and local governments and all citizens recommending preparedness, nonessential travel, social distancing, and other mitigation strategies impacting many sectors of daily life to slow the spread and guard against COVID-19; and,

Whereas, South Dakota has confirmed cases of COVID-19, making this a public health emergency posing a danger to public health and safety in all of South Dakota; and,

Whereas, A state of emergency was declared by Executive Order 2020-04 on March 13, 2020, which has been extended by Executive Orders 2020-15, 2020-26, 2020-30, and 2020-34, and continues to currently exist within the State of South Dakota; and,

Whereas, South Dakota Driver License Exam Stations statewide were closed for a period of time resulting in the suspension of certain statutory requirements permitting the extension of the expiration date for an operator's license, motorcycle operator's license, restricted minor's permit, motorcycle restricted minor's permit, nondriver identification card, commercial driver license, or commercial learner's permit that expired during the emergency; and,

Whereas, On July 7, 2020, Executive Order 2020-30 again provided more time to allow South Dakotans to postpone renewing their operator's license, motorcycle operator's license, restricted minor's permit, motorcycle restricted minor's permit, nondriver identification card, commercial driver license, or commercial learner's permit until December 30, 2020 due to continued circumstances of the pandemic; and,

Whereas, Individuals with licenses, permits, or cards expiring between March 13, 2020 and December 30, 2020 were informed that they must comply with these statutes and renew their respective license, permit, or card on or before December 30, 2020; and,

Whereas, Driver License Exam Stations have reopened operations to the public; and,

Whereas, These suspensions expired on December 30, 2020 thereby triggering the thirty-day statutory grace period in which an individual who had a license, permit, or card expire during the months of March 2020 through December 2020 had to renew their license, permit, or card, or would be required to retake the knowledge test where applicable; and,

Whereas, Despite diligent efforts of the Renew2020SD campaign to advise, notify, and inform those South Dakotans through radio, TV, newspaper, personal mailings, press releases, and various social media outlets that their expired licenses, permits, or cards were to be renewed by December 31, 2020, nearly 19,000 individuals have failed to renew their license, permit, or card that expired from March 13, 2020 through December 30, 2020; and,

Whereas, Strict compliance with the statutory provision requiring an applicant to retake the knowledge test when they do not apply within 30 days from the expiration date of their license or permit would prevent, hinder, or delay necessary action to cope with this emergency in all counties of our state; and,

Whereas, The need for providers to administer the COVID-19 vaccine is vital to the state's vaccine plan so that strict compliance with the statutory requirements restricting dentists from administering COVID-19 vaccinations will prevent, hinder or delay necessary actions to cope with this emergency in all counties of our state:

NOW, THEREFORE, I, KRISTI NOEM, Governor of the State of South Dakota, by the authority vested in me by the Constitution and the Laws of this State, including but not limited to SDCL 34-48A, do hereby order and direct the following:

Section 1 Waiver of Knowledge Test Requirement for Renewing Licenses and Permits. I temporarily suspend the statutory provision of SDCL 32-12-42 permitting the Department of Public Safety to waive the knowledge test only upon application within thirty days from the expiration date of the license and permit so that only individuals who have allowed their licenses or permits to lapse from March 13, 2020 through December 30, 2020 will have one hundred eighty (180) days to apply for renewal and make payment of the required fee. After this final one hundred eighty-day grace period, all individuals will be subject to SDCL 32-12-42, and no further waiver will be granted by the Department.

Section 2 Administration of COVID-19 Vaccines. I temporarily suspend the statutory provisions of SDCL 36-6A-32.3 and SDCL 36-6A-31(3) requiring a dentist to prescribe or administer drugs only in connection with dental related ailments or conditions, only to the extent to allow a dentist with experience in giving injections to administer vaccines for COVID-19, and only on a volunteer basis at a COVID-19 vaccination site designated by the Department of Health.

BE IT FURTHER ORDERED, This Executive Order shall be in effect immediately and shall continue for the duration of the state of emergency, initially declared by Executive Order 2020-04 and extended by subsequent Executive Orders 2020-15, 2020-26, 2020-30, and 2020-34, unless sooner terminated or extended.

Dated in Pierre, South Dakota this 5th day of February, 2021.

Kristi Noem
Governor of South Dakota

ATTEST:

Steve Barnett
Secretary of State