# STATE OF SOUTH DAKOTA
# OFFICE OF THE GOVERNOR
# EXECUTIVE ORDER 2020-21

**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 currently 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 has 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 prevent the spread and guard against the COVID-19 outbreak; 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 has been declared by Executive Order 2020-04 on March 13, 2020, which has been extended by Executive Order 2020-15, and continues to currently exist within the State of South Dakota until its expiration on May 31, 2020, unless sooner terminated or extended; and,

**Whereas,** Many county courthouses have reduced operations or closed county offices impeding citizens' ability to comply with certain motor vehicle requirements requiring flexibility, relief from penalties, and causing a backlog when those offices do open; and,

**Whereas,** Strict compliance with the statutory requirement for all mobile and manufactured homes to be initially titled within forty-five days of transfer and the penalties and fees for failure to comply with the requirement will prevent, hinder, or delay necessary action to cope with this emergency in all counties of our state; and,

**Whereas,** Strict compliance with the statutory requirement for an application for certificate of title for a motor vehicle, trailer, semitrailer, or certain large boats within forty-five days of transfer and the penalties and fees for failure to comply with the requirement will prevent, hinder, or delay necessary action to cope with this emergency in all counties of our state; and,

**Whereas,** Strict compliance with the statutory requirement for owners of vehicles and boats to renew their registrations during the month assigned to the first initial of their last name and the penalties and fees for failure to comply with the requirement will prevent, hinder, or delay necessary action to cope with this emergency in all counties of our state; and,

**Whereas,** Strict compliance with the statutory requirement for any person acquiring a motor vehicle to apply for registration within forty-five days of purchase and the penalties and fees for failure to comply with the requirement will prevent, hinder, or delay necessary action to cope with this emergency in all counties of our state; and,

**Whereas,** Strict compliance with the statutory requirement that a seller's permit provided to a purchaser of a vehicle that allows operation of the vehicle until registered expires forty-five days from the date of purchase and the penalties and fees for failure to comply with the requirement will prevent, hinder, or delay necessary action to cope with this emergency in all counties of our state; and,

**Whereas,** There are other options available for people to conduct their motor vehicle business, other than in person at a county office, by using a DMV Now Kiosk, going online at mysdcars.sd.gov, or mailing paper forms and fees to their county treasurer's office; and,

**Whereas,** Strict compliance with the statutory requirement governing the limit of temporary or probationary status for law enforcement officers will prevent, hinder, or delay necessary action to cope with this emergency in all counties of our state; and,

**Whereas,** Strict compliance with the requirements governing the limit of temporary or probationary status for 911 telecommunicators will prevent, hinder, or delay necessary action 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-5(4), do hereby order and direct the following:

**Section 1 Titling of Mobile and Manufactured Homes.** I temporarily suspend the statutory provision of SDCL 32-3-3.1 governing the forty-five-day requirement for initially titling a mobile or manufactured home. Initial titling required pursuant to this statute must be completed within 60 days after the termination of the emergency.

**Section 2 Application for Certificate of Title for a Motor Vehicle, Trailer, or Semitrailer.** I temporarily suspend the statutory provision of SDCL 32-3-26 governing the forty-five-day requirement for applying for a certificate of title for a motor vehicle, trailer, or semitrailer. The application required pursuant to this statute must be completed within 60 days after the termination of the emergency.

**Section 3 Penalty for Failure to Comply with SDCL 32-3-26.** I temporarily suspend the statutory provisions of SDCL 32-3-27 governing the penalty for failure to comply with the provisions of SDCL 32-3-26. The penalty may be imposed for noncompliance after 60 days from the termination of the emergency.

**Section 4 Application for Certificate of Title for Large Boats.** I temporarily suspend the statutory provisions of SDCL 32-3A-21, 32-3A-23, 32-3A-29, and 32-3A-40 governing the forty-five-day requirement for applying for a certificate of title for a large boat. The application required pursuant to this statute must be completed within 60 days after the termination of the emergency.

**Section 5 Penalty for Failure to Comply with SDCL 32-3A-40.** I temporarily suspend the statutory provisions of SDCL 32-3A-41 governing the penalty for failure to comply with the provisions of SDCL 32-3A-40. The penalty may be imposed for noncompliance after 60 days from the termination of the emergency.

**Section 6 Renewal of Vehicle Registrations During Month Assigned.** I temporarily suspend the statutory provisions of SDCL 32-5-2.4 governing the renewal of vehicle registrations during the month assigned to the first initial of the owner's last name for the renewal months of March and May 2020. Renewal required pursuant to this statute must be completed within 60 days after the termination of the emergency.

**Section 7 Renewal of Registrations and Validation Decals for Boats.** I temporarily suspend the statutory provisions of SDCL 32-3A-13 governing the renewal of registrations and validation decals for boats during the month assigned to the first initial of the owner's last name for the renewal months of March and May 2020. These requirements must be completed within 60 days after the termination of the emergency.

**Section 8 Registration of a Motor Vehicle upon Transfer.** I temporarily suspend the statutory provision of SDCL 32-5-2.5 governing the forty-five-day requirement for registering a motor vehicle. Registration required pursuant to this statute must be completed within 60 days after the termination of the emergency.

**Section 9 Seller's Permit Provided to a Purchaser of a Vehicle.** I temporarily suspend the statutory provision of SDCL 32-5-2.9 governing the forty-five-day period that a seller's permit provided to a purchaser of a vehicle is valid to operate the vehicle prior to registration. The seller's permit shall only be valid within 60 days following the termination of the emergency.

**Section 10 Alternative Operation.** I encourage South Dakotans to use alternative methods for conducting their motor vehicle business other than in-person at a county office, by using a DMV Now Kiosk, going online at mysdcars.sd.gov, or mailing paper forms and fees to their county treasurer's office.

**Section 11 Probationary Period for Officers.** I temporarily suspend the statutory requirement of SDCL 23-3-41 requiring temporary or probationary law enforcement officers to complete the Law Enforcement Academy course within one year of appointment for 180 days following termination of the COVID-19 State of Emergency. The department employing any such law enforcement officer must submit a request to extend the probationary time period to the training administrator.

**Section 12 Probationary Period for Telecommunicators.** I temporarily suspend the statutory requirement of SDCL 34-45-24 and the regulatory requirement of ARSD 02:05:02:02 requiring temporary or probationary 911 telecommunicators to complete the 911 Academy course within one year of appointment for 180 days following termination of the COVID-19 State of Emergency. The department employing any such telecommunicator must submit a request to extend the probationary time period to the training administrator.

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

Dated in Pierre, South Dakota this 30th day of April, 2020.

Kristi Noem
Governor of South Dakota

ATTEST:

Steve Barnett
Secretary of State