

COMMERCIAL VEHICLES

- A. Payment of the annual commercial motor vehicle fee shall be made before beginning an operation. License renewal is done under a staggered licensing system.
1. All address information should be properly recorded on the commercial registration.
 2. The South Dakota driver's license or social security number of each applicant must be given. In the case of a company, the FEIN is required. If the company is a sole proprietorship, the owner's social security number or driver's license number may be used.
 3. The county treasurer will fill out a commercial registration for each unit using commercial license plates.
 4. All information concerning the motor vehicle must be correct and included on the commercial registration.
 5. The county treasurer may assess a \$5.00 mailing fee for the mailing of commercial license plates and a \$1.00 fee for the mailing of stickers. If the applicant requests the plates/stickers be express mailed, the applicant shall pay any costs for the service.
- B. **Commercial License (plate with owner).**
1. If discontinuing use of a commercial license, the plates can be turned in for a refund of the remaining months on the license plates.
 2. If a commercial vehicle is sold or transferred, the commercial plates must be removed and can be attached to a newly acquired vehicle, upon registration of the newly acquired vehicle through the county treasurer. Credit is given for any remaining months on the plates at the time the county registers the vehicle. If the plates expire prior to the attachment, the plates are no longer valid and cannot be used.
 3. In the event tonnage is being lowered, no refund is given. The applicant can either retain the current plates with the higher tonnage until the new licensing period (within 3 months of expiration) and then lower the tonnage, or, if so desired, the applicant can return the license plates and a new set of plates can be issued with the lower tonnage.
 4. Inform applicant that a copy of the registration must be placed in the power unit, to be carried at all times and exhibited upon demand of any law enforcement official.
- C. Commercial vehicles tonnage stickers.
1. Any vehicle registered to haul more than 27 tons by license or permit is required to file the IRS 2290 schedule 1 and provide proof of the filing by providing a copy of the IRS verified form for the licensing period. Twenty-eight ton and over stickers are issued directly from the Division of Motor Vehicles to individuals when all applicable laws are complied with.
 - a. Proof of federal heavy vehicle use tax must be furnished.
 - (1) Form #2290 Schedule 1 stamped received by IRS.
 - (2) Form #2290 Schedule 1, plus copy of canceled check.

- b. Vehicles exempt from federal heavy vehicle use tax must also send in the Form #2290 Schedule 1 and have it stamped received by the IRS.
2. The county treasurer shall attach to the daily printout of vehicles registered by the county at a tonnage of 28 ton or over, the taxpayer statement notification concerning payment of the federal heavy vehicle use tax form (DMV-HVUT), which is to be completed on all vehicles licensed at 28 ton or over, in which proof of payment of the tax is not available at the time of registration. If proof is available at the time of registration, the county treasurer shall attach the proof of payment of the heavy vehicle use tax (IRS forms) along with a copy of the vehicle registration. If proof of payment is not available at time of registration, the applicant has 30 days in which he can operate the vehicle without displaying the tonnage decals.
 - b. Contact for Federal Excise Tax information and form 2290-Heavy Vehicle Use Tax: 1-866-699-4096 – Cincinnati Service Center.
3. Status categories in the HVUT queue:
 1. R – Requested or Registered (indicates the vehicle has been registered at a qualifying weight but nothing has been received and tonnage decals have not been issued.
 2. WP – Waiting Proof (indicates we received the HVUT form claiming filing of the 2290 and have verified proof for the previous years but still waiting for proof of filing with a copy of the IRS verified form for the current licensing period for the correct vehicle. Tonnage decals have been issued.
 3. Category Z and Newly Purchased Vehicles (if a vehicle is purchased within 60 days of a qualifying HVUT registration, tonnage decals will be mailed without proof of filing; however, the 2290 is still required to be filed. A code of Category Z means that proof of HVUT has not been received. Once the proof is received, the code will be changed.
 4. V – Verified (indicates verification that the tonnage decals have been issued.
4. Common Problems
 1. The form provided is either not stamped as verified by the IRS, the form is not for the correct vehicle or it is for the wrong filing period, or the VIN is incorrect and the name on the form does not match the titled owner.

EXCEPTIONS FROM COMMERCIAL VEHICLES

- A. The following do not come within the definition of "motor carriers" or "commercial vehicles" when used in intrastate operations.
1. A motor vehicle registered in South Dakota used to carry private business property of five hundred pounds or less.
 2. Repealed.
 3. A motor vehicle chassis registered in South Dakota on which is mounted a cornsheller, grain cleaner, feed grinder, grain and alfalfa feed mixing machine, haystack mover, sawmill, water well drilling equipment, power shovel, ditchdigger, mobile crane which exceeds the maximum size or weight limits prescribed by chapter 32-22, drag line, posthole auger, and which is not used for demonstration or display purposes outside the limits of a municipality, or a truck tractor and trailer carrying permanently mounted hay grinding equipment.
 4. Repealed.
 5. Any motor vehicle registered in South Dakota used for the transportation of liquid or solid livestock waste (including trailers and equipment used to load liquid or solid livestock waste) and any vehicle registered in South Dakota used for the application, distribution, spraying or transportation from retail business to user of dry, liquid or anhydrous ammonia fertilizers or agricultural chemicals.
 6. Repealed.
 7. A motor vehicle registered in South Dakota of less than thirty thousand pounds gross weight owned by a merchant licensed under Chapter 10-45 or his commissioned paid employee and used to transport the merchant's previously sold merchandise to a purchaser outside the limits of a municipality and to return exchanged property or to transport fuels to a purchaser within a municipality or an unincorporated town which is without such service.
 8. A motor vehicle registered in South Dakota owned by a farmer of this state and used by or for the farmer to transport property for his farming operation, to transport farm property from farm to farm or from a community or market to his farm or from his farm to a community or market, to transport livestock in a vehicle that is registered at 26,000 pounds or less and when hauling for no monetary compensation or to transport farm property when the vehicles are used as reimbursement in the ordinary exchange of farm work if the provisions of § 49-28-8.2 are met.
 9. A motor vehicle registered in South Dakota operated by or for its owner and exclusively used to transport products originating in or produced from logging or mining operations or lumber milling waste products if such products are produced or owned by the motor vehicle owner.
 10. Except as provided in § 32-9-3.3, any motor vehicle, trailer, semitrailer, motor propelled or trailed vehicle chassis registered in South Dakota, which is used for highway construction or for the construction of stock water dugouts, dams, farm and ranch irrigation systems or other soil and water conservation projects on farms and ranches and used exclusively on the job site. Such equipment may be moved between job sites or from job site to a central location.

11. A motor vehicle used principally for providing prearranged transportation of persons to or from their place of employment and is operated by a person who does not drive the vehicle for his principal occupation, but is driving it only to or from his principal place of employment or for personal use as permitted by the owner of the vehicle.
12. A school bus, owned by a school district, when rented by or its use has been granted to a nonprofit club, group, organization, fraternal society, association or corporation for use pursuant to subdivision (1) or (8) of § 49-28-2.
13. A motor vehicle that is not for hire and is operated solely for educational purposes by a student or an instructor as part of a heavy motor vehicle or heavy equipment operator's course offered by a nonprofit post secondary institution located in the state.
14. A motor vehicle used for personal purposes and not operated for private business.
15. A motor vehicle used for recreational purposes and not operated for private business use.
16. A motor vehicle, semitrailer, motor propelled or trailed vehicle chassis, registered in South Dakota and used to move equipment involved in soil and water conservation projects or township road work when operated between job sites or from a job site to a central location or point of repair.
17. Any motor vehicle used by an implement dealer to transport farm machinery to and from a county fair or the state fair.
18. A motor vehicle, other than a motor vehicle which carries inventory replacement vehicles entirely upon its own structure, owned by a licensed motor vehicle dealer and used to transport inventory replacement vehicles to the dealer's principal place of business.
19. Any motor vehicle, with a seating capacity of 16 or more persons, including the driver, used as a motor bus in the transportation of persons for hire within the corporate limits of any city or town.

The specialized equipment mounted on a motor vehicle chassis listed in #3 to #6, inclusive, is included in the vehicle weight used to determine license fees under the noncommercial fee schedule. A violation of the section is a Class 2 misdemeanor.

COMMERCIAL BUS

- A. Application for commercial bus plate requires that a commercial vehicle registration be completed for each bus.
 - 1. The gross maximum weight on a commercial bus shall be calculated by using the largest gross maximum weight the unit will haul, plus the weight of the bus.
- B. Determination of fees is made from the appropriate gross weight on the commercial fee schedule.
- C. **Commercial License Plate with Owner.**
 - 1. If discontinuing use of a commercial license, the plates can be turned in for a refund of the remaining months on the license plates.
 - 2. If a commercial vehicle is sold or transferred, the commercial plates must be removed and can be attached to a newly acquired vehicle, upon registration of the newly acquired vehicle through the county treasurer. Credit is given for any remaining months on the plates at the time the county registers the vehicle. If the plates expire prior to the attachment, the plates are no longer valid and cannot be used.

COMMERCIAL TRAILING UNITS

- A. A commercial trailer unit will only be required to display commercial trailer identification plates.
 - 1. This will be the only license identification required on a commercial trailer. The \$10 fee is a one-time only fee, as long as the trailer is owned by the applicants.
 - 2. In the event the trailer plate is lost, a new plate is issued. The applicant is not required to complete a duplicate plate affidavit. A \$10 fee is assessed.
- B. In the event of ownership transfer, the new owner must make application in his name for a new trailer identification plate.
- C. A trailer bearing a commercial identification plate may be towed behind any commercial power unit.
- D. A commercial power unit may tow any legally licensed trailing unit, as long as the proper weight fees have already been paid on said power unit.
 - 1. A noncommercial declared gross weighted unit may pull any trailer bearing a commercial trailer identification plate.
- E. There is no refund or credit provision for a commercial trailer plate.