



# 2020 South Dakota Legislature

## Senate Bill 70

HOUSE ENGROSSED

Introduced by: **Senator V. J. Smith**

1 **An Act to authorize the use of Spanish in obtaining certain driver licenses and**  
2 **permits.**

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

4 **Section 1.** That § 1-27-22 be AMENDED:

5 **1-27-22. Application of English as common language requirement.**

6 The provisions of §§ 1-27-20 to 1-27-25, inclusive, do not apply:

- 7 (1) To instruction in foreign language courses;
- 8 (2) To instruction designed to aid students with limited English proficiency in a timely
- 9 transition and integration into the general education system;
- 10 (3) To the application, preparation materials, and examination for any noncommercial
- 11 driver license or permit;
- 12 (4) To the conduct of international commerce, tourism, and sporting events;
- 13 ~~(4)~~(5) When deemed to interfere with needs of the justice system;
- 14 ~~(5)~~(6) When the public safety, health, or emergency services require the use of other
- 15 languages; and
- 16 ~~(6)~~(7) When expert testimony, witnesses, or speakers require a language other than the
- 17 common language. However, for purposes of deliberation, decision making, or
- 18 record keeping, the official version of such testimony or commentary shall be the
- 19 officially translated English language version.

20 **Section 2.** That a NEW SECTION be added:

21 **32-12-127. License applications and examination materials--Language.**

22 For noncommercial driver licenses and permits, the Department of Public Safety  
23 shall:

- 24 (1) Provide the applications in Spanish and English;
- 25 (2) Provide the examination materials in Spanish and English; and

- 1        (3)    Allow an applicant to take the written knowledge test in Spanish or English.
- 2                Any instructions given to the applicant during the driving test must be administered
- 3        in English.
- 4        **Section 3.** Section 2 of this Act is effective on January 1, 2021.