

AN ACT

ENTITLED, An Act to revise certain provisions relating to false statements pertaining to aircraft registration and associated penalties.

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

Section 1. That § 50-11-9 be amended to read as follows:

50-11-9. The owner or lessee of an aircraft to be operated within this state shall, except as otherwise expressly provided, file with the department on a form prescribed and furnished by the commission, an application for registration of the aircraft. A person who fails to register an aircraft within thirty days after it is operated in this state is guilty of a Class 2 misdemeanor. A person who knowingly makes a false statement of a material fact in the application is guilty of a Class 5 felony. In addition, failure to register an aircraft within ninety days of the date when registration is due shall result in a civil penalty equal to ten percent of the registration fee provided in § 50-11-12 for each month, or portion thereof, until the fee is paid, not to exceed five times the fee due.

Section 2. That § 50-11-22 be amended to read as follows:

50-11-22. If an aircraft registered in accordance with §§ 50-11-8 to 50-11-21, inclusive, is sold or transferred, the person in whose name the aircraft is registered shall complete and sign the endorsement on the back of the certificate of registration as prescribed by the commission and shall, within seven working days, forward to the department by mail a notice of the sale or transfer including the date and place thereof and the name and address of the purchaser or transferee. Failure to make the change of registration within the time required by this section is a Class 2 misdemeanor. A person who knowingly makes a false statement of a material fact in the certificate of registration is guilty of a Class 5 felony.

Section 3. That § 50-11-23 be amended to read as follows:

50-11-23. The purchaser or transferee described by § 50-11-22 shall, within thirty days, apply

to the department for the transfer of the registration of the aircraft to the purchaser's or transferee's name and the issuance of a new certificate of registration. Failure to make the change of registration within the time required by this section is a Class 2 misdemeanor. A person who knowingly makes a false statement of a material fact in the application is guilty of a Class 5 felony.

The endorsed certificate of registration is void thirty days after the date of the sale or transfer of such aircraft.

The department shall file the application and upon determining that the applicant has paid the fee and is entitled thereto, shall transfer the registration to the applicant's name and issue the applicant a new certificate of registration. The fee for the transfer of registration is five dollars.

Section 4. That § 50-11-31 be amended to read as follows:

50-11-31. In the event of loss, mutilation, or destruction of a registration certificate or other identifying matter prescribed by the Aeronautics Commission and issued under the provisions of this chapter, the registrant may obtain from the secretary of transportation a duplicate certificate by filing in the office of the secretary an affidavit showing such facts and paying the fee prescribed by the commission. A person who knowingly makes a false statement of a material fact in the affidavit is guilty of a Class 5 felony. The affidavit and fee shall be filed and remitted by the secretary as is required by law. The director shall thereupon issue a duplicate registration certificate or other identifying matter to the applicant.

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I certify that the attached Act originated in the

HOUSE as Bill No. 1178

Chief Clerk

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Speaker of the House

Attest:

Chief Clerk

President of the Senate

Attest:

Secretary of the Senate

House Bill No. 1178
File No. _____
Chapter No. _____

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Received at this Executive Office this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor

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The attached Act is hereby approved this _____ day of _____ , A.D., 20____

Governor

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STATE OF SOUTH DAKOTA,
ss.

Office of the Secretary of State

Filed _____ , 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State