

October 9, 2026

Dyed Diesel Clarification for South Dakota

The Department of Revenue is issuing guidance for consumers and retailers that **only agricultural producers** with a valid agricultural exemption certificate should fuel with red dyed diesel for on-road use at this time.

This is consistent with other states that have relaxed rules on red dyed diesel. Until further clarification is received from the federal government, non-agriculture users may still owe federal taxes in January. Non-agricultural users still owe other state and local taxes that reduce or eliminate any tax benefits of using red dyed diesel for non-agricultural purposes.

Sellers and purchasers are reminded that dyed diesel remains subject to state sales tax and applicable municipal tax unless the purchase qualifies for an agricultural exemption under South Dakota Codified Law 10-45-19. Sellers are reminded that a properly completed exemption certificate is required to exempt a sale from applicable tax. These exemption certificates must be kept in the seller's records. The exemption certificate may be found [here](#).

The Governor has [directed](#) the SD Highway Patrol to not stop and check any vehicle for a violation. DPS will continue to follow that directive for all traffic because of varying directives from other states and the federal government. However, as previously stated, the state cannot waive taxes set in state law. Sales tax applies to non-agricultural users of dyed diesel. Depending on federal guidance, consumers using red dyed diesel and paying sales tax may actually pay more than the regular diesel tax in certain circumstances.

Anyone using dyed fuel for on-road use is encouraged to maintain accurate fuel-use records and monitor state-specific guidance going forward. Now that state guidance is established, only agricultural producers can use dyed diesel tax exempt.

South Dakota Brand Inspection Fee Increases Effective October 1, 2026

Effective October 1, 2026, South Dakota's livestock brand inspection fee increased from \$1.00 to \$1.45 per head. The fee applies to livestock inspections conducted within South Dakota's designated brand inspection area, which includes all the counties west of the Missouri River. While South Dakota's brand laws apply statewide, mandatory brand inspections are limited to the designated inspection area.

Click [here](#) to learn more about the inspection fee increase.

2026 General Election Voting Registration Closes Soon

The deadline to register to vote for the 2026 General Election closes **October 19, 2026**. In South Dakota, any registered South Dakotan voter can vote in the general election.

The official general election day is November 3, 2026. This year's general election will determine who will serve in our state legislature for the next two years and who will serve as Governor for the next four year, along with many other public offices. It is important to vote in the general election.

South Dakota Farm Bureau asked both candidates for Governor to respond to questions about the ag industry in our state. You can find their [responses here](#).

Remember to register to vote by October 19, 2026, to vote in the general election. Early voting for the 2026 general election has already begun. Click [here](#) for more details on how you can participate in the 2026 general election.

Contact for Questions

Krystil Smit

SDFB Chief Executive Officer

Email: k.smit@sdfbf.org

Cell: (605) 261-2960

Matthew Bogue

SDFB State Public Policy Director

Email: Matthew@sdfbf.org

Cell: (605) 377-8833