



Division of Secretariat
Office of Legal Counsel
700 E. Broadway Avenue
Pierre, South Dakota 57501
Phone: 605 – 773 – 4396

MEMORANDUM

TO: Joel Jundt

FROM: Karla L. Engle

DATE: September 15, 2026

RE: September 22, 2026 Transportation Commission Meeting

The Department of Transportation (SDDOT) asks the Transportation Commission to approve amendments to the following administrative rules:

- 70:01:02:01 – Minnehaha County speed zone rule;
- 70:01:02:39 – Jackson County speed zone rule;
- 70:01:02:59 – Sully County speed zone rule;
- 70:07:01:01 – Definitions;
- 70:07:04:09 – Reasons for Debarment;
- 70:07:04:10.02 – Hearing request;
- 70:07:04:15 – Term of debarment.

Copies of the following documents are enclosed with this memo for the Transportation Commission's consideration:

1. The proposed rules;
2. The Rules Presentation Format form, listing the procedural steps that have been taken so far in the rule adoption process; and
3. Memos from SDDOT's Region Traffic Engineers, explaining the purpose and effect of the proposed changes.

Any written comments that are timely received will be provided to the Transportation Commission at the meeting on September 22, 2026 in Sioux Falls.

Thank you.

KLE
Enclosures

70:01:02:01. Minnehaha County. The following are the maximum speeds on certain highways in Minnehaha County:

(1) State Trunk Highway 42 beginning ~~2.17 miles east of the intersection with State Trunk Highway 11 going south at its junction with Six Mile Road~~, then east for ~~2.79~~ 3.6 miles, ~~55~~ fifty-five miles per hour; then east for ~~0.15~~ 0.2 mile, ~~45~~ forty-five miles per hour; then east for ~~0.37~~ 0.4 mile through Rowena, ~~30~~ thirty miles per hour; then east for ~~0.18~~ 0.2 mile, ~~45~~ forty-five miles per hour; then east ~~for 2.54 miles~~ to the ~~South Dakota/Iowa~~ South Dakota-Iowa border, ~~55~~ fifty-five miles per hour;

(2) State Trunk Highway 38 beginning 0.2 mile west of Western Avenue then east to Western Avenue, ~~45~~ forty-five miles per hour; then southeasterly through Hartford for ~~1.31~~ 1.3 miles, ~~35~~ thirty-five miles per hour; then southeasterly for ~~0.53~~ 0.5 mile, ~~50~~ fifty miles per hour;

(3) State Trunk Highway 38 beginning at a point 0.2 mile west of the west junction with State Trunk Highway 19, then east for 0.9 mile to west of Washington Street in Humboldt, ~~55~~ fifty-five miles per hour; then east for 0.4 mile, ~~35~~ thirty-five miles per hour; then east for 0.2 mile, ~~55~~ fifty-five miles per hour;

(4) ~~Repealed;~~

~~—(5) Repealed;~~

~~—(6)~~ State Trunk Highway 11 beginning at ~~the~~ its intersection with Aspen Boulevard ~~at~~ in Brandon, then north for ~~0.63~~ 0.6 mile through Brandon to Needles Drive, ~~30~~ thirty miles per hour; then north ~~0.78~~ 0.8 mile to the centerline of Interstate Highway 90, ~~45~~ forty-five miles per hour;

~~—(7) Repealed;~~

~~—(8) Repealed;~~

~~——(9)(5)~~ State Trunk Highway 11 beginning at the centerline of Interstate Highway 90, then north ~~0.32~~ 0.3 mile, ~~45~~ forty-five miles per hour; then north through Corson for ~~0.55~~ 0.6 mile, ~~35~~ thirty-five miles per hour; then north 0.1 mile, ~~45~~ forty-five miles per hour;

~~(10)(6)~~ State Trunk Highway 115 beginning ~~1.56~~ 1.6 mile southeasterly of the intersection with Fourth Street in Dell Rapids, then northwesterly for ~~1.08~~ 1.1 miles, ~~55~~ fifty-five miles per hour; then northwesterly for ~~0.48~~ 0.5 mile to Fourth Street, ~~35~~ thirty-five miles per hour; then west for ~~0.66~~ 0.7 mile, ~~35~~ thirty-five miles per hour; then west for 0.2 mile, ~~50~~ fifty miles per hour;

~~(11)(7)~~ State Trunk Highway 115 beginning at the Lincoln County Line, ~~57th Street in Sioux Falls~~, then north to Interstate 229, ~~40~~ forty miles per hour; then north to Russell Street, ~~30~~ thirty miles per hour; then northeasterly ~~via North Drive~~ to Cliff Avenue, ~~35~~ thirty-five miles per hour; then north to a point ~~0.35~~ 0.4 mile north of the junction ~~of with~~ Interstate 90, ~~40~~ forty miles per hour; then north to a point 0.6 mile north of the intersection with Minnehaha County ~~road~~ Highway 130 (also known as Renner Corner), ~~55~~ fifty-five miles per hour;

~~——(12)~~ State Trunk Highway 42 beginning at its junction with Minnehaha County Highway 139 (Ellis Road), then east to the Skunk Creek Bridge, 45 miles per hour; then east to Kiwanis Avenue in Sioux Falls, 35 miles per hour; then east to the end of State Trunk Highway 42 at its junction with State Trunk Highway 38 at West Avenue, 30 miles per hour;

~~——(13)~~ State Trunk Highway 42 beginning at the intersection with West Avenue in Sioux Falls, then east to Spring Avenue, 30 miles per hour; then east to Second Avenue, 20 miles per hour; then east to Cleveland Avenue, 30 miles per hour; then east to a point 0.5 mile east of the intersection with Sycamore Avenue, 35 miles per hour; then east to the junction with State Trunk Highway 11 South, 45 miles per hour; then east 2.17 miles, 55 miles per hour;

~~(14)~~(8) State Trunk Highway 11 beginning at ~~the~~ its intersection with Aspen Boulevard ~~at~~ in Brandon, then southwesterly for 0.3 mile, ~~30~~ thirty miles per hour; then southwesterly 0.9 mile, ~~45~~ forty-five miles per hour; then south to the junction ~~of~~ with State Trunk Highway 42, ~~55~~ fifty-five miles per hour;

~~(15) Repealed;~~

~~(16)~~(9) The crossroad over Interstate Highway 90 at Exit 402 beginning at a point 0.2 mile north of the centerline of Interstate Highway 90, then south 0.4 mile, ~~40~~ forty miles per hour;

~~(17)~~(10) The crossroad over Interstate Highway 90 at Exit 410 beginning at a point 0.2 mile north of the centerline of Interstate Highway 90, then south 0.4 mile, ~~25~~ twenty-five miles per hour;

~~(18)~~(11) State Trunk Highway 11 beginning ~~0.78~~ 0.8 mile south of Dows Street in Garretson, then north ~~0.58~~ 0.6 mile, ~~55~~ fifty-five miles per hour; then north ~~0.56~~ 0.6 mile, ~~45~~ forty-five miles per hour; then north ~~0.46~~ 0.5 mile, ~~55~~ fifty-five miles per hour; and

~~—— (19) State Trunk Highway 11 beginning at the Minnehaha – Lincoln County line, then north for 1.66 miles, 55 miles per hour, then north for 1.4 miles to Arrowhead Parkway in Sioux Falls, 45 miles per hour;~~

~~(20)~~(12) State Trunk Highway 42 beginning 0.9 mile west of ~~the~~ its intersection with Minnehaha County Highway 139, then east for 0.8 mile, ~~55~~ fifty-five miles per hour, then east for 0.1 mile, ~~45~~ forty-five miles per hour.

Source: SL 1975, ch 16, § 1; 2 SDR 86, effective June 24, 1976; 4 SDR 20, effective October 3, 1977; 4 SDR 26, effective October 31, 1977; 4 SDR 77, effective March 2, 1978; 5 SDR 31, effective October 30, 1978; 6 SDR 63, effective December 30, 1979; 6 SDR 109, effective May 29, 1980; 7 SDR 1, effective July 20, 1980; 8 SDR 45, effective October 28, 1981; 9 SDR 7,

effective July 27, 1982; 11 SDR 112, effective February 25, 1985; 13 SDR 52, effective November 6, 1986; 13 SDR 129, 13 SDR 134, effective July 1, 1987; 14 SDR 14, effective August 2, 1987; 14 SDR 65, effective November 5, 1987; 15 SDR 158, effective April 26, 1989; 16 SDR 40, effective September 7, 1989; 17 SDR 127, effective March 3, 1991; 19 SDR 154, effective April 11, 1993; 20 SDR 183, effective May 9, 1994; 22 SDR 165, effective June 2, 1996; 22 SDR 183, effective June 30, 1996; 23 SDR 132, effective February 27, 1997; 24 SDR 15, effective August 10, 1997; 26 SDR 85, effective December 29, 1999; 26 SDR 110, effective March 6, 2000; 28 SDR 181, effective July 4, 2002; 29 SDR 43, effective October 8, 2002; 29 SDR 160, effective June 2, 2003; 34 SDR 303, effective June 9, 2008; 36 SDR 27, effective August 20, 2009; 37 SDR 182, effective April 20, 2011; 38 SDR 8, effective August 3, 2011; 38 SDR 172, effective April 24, 2012; 41 SDR 34, effective September 2, 2014; 41 SDR 173, effective May 11, 2015; 44 SDR 65, effective October 16, 2017; 44 SDR 95, effective December 5, 2017.

General Authority: SDCL 32-25-7.

Law Implemented: SDCL 32-25-7.

70:01:02:39. Jackson County. The following are the maximum speeds on certain highways in Jackson County:

(1) ~~Interstate South Dakota Highway 90 Business Loop 248~~ beginning ~~at the west city limits of Kadoka~~ 1.3 miles west of its intersection with 13th Avenue in Kadoka, then east 0.1 mile, forty-five miles per hour; then east 1.2 miles to its intersection with 13th Avenue, thirty miles per hour; then east 0.2 mile ~~and ending at the east city limits,~~ 45 forty-five miles per hour;

(2) State Trunk Highway 73 beginning 0.5 mile north of its junction with State Trunk Highway 248, then south 0.8 mile, ~~30 thirty~~ miles per hour; then south 0.2 mile, ~~45 forty-five~~ miles per hour;

(3) State Trunk Highway 63 beginning at its intersection with Railway Street in Belvidere, then south 0.35 mile, ~~30 thirty~~ miles per hour;

(4) State Trunk Highway 44 beginning at its junction with State Trunk Highway 73, then southwesterly 7.7 miles, ~~55 fifty-five~~ miles per hour; then south 0.6 mile, ~~30 thirty~~ miles per hour; then west to the junction of State Trunk Highway 44 and State Trunk Highway 377, ~~55 fifty-five~~ miles per hour; then westerly ~~0.43 0.4~~ mile, ~~40 forty~~ miles per hour; then westerly 0.2 mile, ~~55 fifty-five~~ miles per hour;

(5) State Trunk Highway 73 beginning ~~500 five hundred~~ feet south of the southeast corner of section 6, township 40 north, range 35 west of the sixth principal meridian and ending ~~800 eight hundred~~ feet north of the southeast corner of section 6, township 40 north, range 35 west of the sixth principal meridian, ~~45 forty-five~~ miles per hour;

(6) State Trunk Highway 377 beginning at the south Badlands National Park boundary, then south for 0.2 mile, ~~45 forty-five~~ miles per hour; then southwesterly ~~1.03 miles one mile,~~ 55 fifty-

five miles per hour; then southwesterly to its junction with State Trunk Highway 44, ~~40~~ forty miles per hour;

(7) State Trunk Highway 240 beginning at the north Badlands National Park boundary, then north for 0.2 mile, ~~45~~ forty-five miles per hour; then north to its junction with Interstate Highway 90, ~~55~~ fifty-five miles per hour;

(8) State Trunk Highway 248 beginning at its junction with State Trunk Highway 240, then east ~~18.61 miles~~ to the west city limits of Kadoka, ~~55~~ fifty-five miles per hour;

(9) State Trunk Highway 248 beginning at the east city limits of Kadoka, then east to the Jackson-Jones county line, ~~55~~ fifty-five miles per hour; and

(10) State Trunk Highway 63 beginning at the Jackson-Mellette county line, then north to 0.35 mile south of its intersection with Railway Street in Belvidere, ~~55~~ fifty-five miles per hour;

~~——(11) Repealed.~~

Source: SL 1975, ch 16, § 1; 3 SDR 62, effective March 15, 1977; subdivisions (6) and (7) transferred from § 70:01:02:66, 12 SDR 138, effective February 23, 1986; 13 SDR 129, 13 SDR 134, effective July 1, 1987; 19 SDR 154, effective April 11, 1993; 21 SDR 111, effective December 18, 1994; 22 SDR 165, effective June 2, 1996; 23 SDR 132, effective February 27, 1997; 25 SDR 48, effective October 4, 1998; 40 SDR 102, effective December 3, 2013; 42 SDR 31, effective September 8, 2015.

General Authority: SDCL 32-25-7.

Law Implemented: SDCL 32-25-7.

70:01:02:59. Sully County. The following are the maximum speeds on certain highways in Sully County:

~~(1) Federal Aid Secondary Highway 651 beginning at the its intersection with U.S. Highway 83 west of Agar, then east for 0.3 mile, 50 fifty miles per hour; then east for 0.3 mile, 25 twenty-five miles per hour; then east for 0.2 mile, 50 fifty miles per hour;~~

~~—— (2) Okobojo Point Lake Access Area Road beginning at the U.S. Army Corps of Engineers take line and extending west and southwesterly throughout the entire Okobojo Point Lake Access Area within the limits of the take line, 35 miles per hour or 25 miles per hour, as posted;~~

~~—— (3) Little Bend Recreation Area Roads beginning at the U.S. Army Corps of Engineers take line or boundary and extending northwesterly and southwesterly throughout the entire recreation area, 45 miles per hour or 20 miles per hour, as posted;~~

~~—— (4) Cow Spring Creek Recreation Area Roads beginning at the U.S. Army Corps of Engineers take line or boundary and extending throughout the entire recreation area, 35 miles per hour or 20 miles per hour, as posted;~~

~~—— (5) Federal Aid Secondary Highway 31 beginning at the southwest corner of section 1, township 114 north, range 76 west of the fifth principal meridian, then north 13 miles to the northwest corner of section 1, township 116 north, range 76 west of the fifth principal meridian on to the Potter and Sully county line, 40 forty miles per hour;~~

~~(6) State Trunk Highway 26 in Onida beginning at its junction with U.S. Highway 83, then east for 0.4 mile, 45 forty-five miles per hour; then east for 0.6 mile, 30 miles per hour;~~

~~(7) U.S. Highway 83 beginning 0.3 mile south of its junction with Federal Aid Secondary Highway 6026 (Court Avenue) west at its intersection with 186th Street south of Onida, then north 0.6 mile, 45 fifty-five miles per hour; then north 0.6 mile, forty-five miles per hour; and~~

~~(8) Repealed;~~

~~(9)(2)~~ U.S. Highway 83 beginning 0.2 mile south of the northwest corner of section 26, township 116 north, range 77 west, then north 0.4 mile, ~~55~~ fifty-five miles per hour.

Source: SL 1975, ch 16, § 1; 2 SDR 29, effective October 16, 1975; 5 SDR 91, effective April 29, 1979; 7 SDR 25, effective September 22, 1980; 9 SDR 132, effective April 24, 1983; 10 SDR 7, effective July 31, 1983; 10 SDR 30, effective October 4, 1983; 13 SDR 129, 13 SDR 134, effective July 1, 1987; 15 SDR 6, effective July 27, 1988; 16 SDR 137, effective February 28, 1990; 22 SDR 165, effective June 2, 1996; 34 SDR 279, effective May 8, 2008.

General Authority: SDCL 32-25-7.

Law Implemented: SDCL 32-25-7.

70:07:01:01. Definitions. Terms used in chapters 70:07:01 to 70:07:04 mean:

~~(1) "Awarding authority" a public or private authority that awards construction contracts;~~

~~(2)(1)~~ "Business," a ~~natural~~ person or sole proprietorship that performs work as a contractor or subcontractor or a partnership, association, corporation, or other entity formed for the purpose of performing work as a contractor or subcontractor;

~~(3)(2)~~ "Commission," the South Dakota Transportation Commission;

~~(4)(3)~~ "Committee," the classification and rating committee established by § 70:07:02:01;

~~(5)(4)~~ "Construction contract," the written agreement between the department and the contractor setting forth the obligations of the parties for the performance of the prescribed work, including the invitation for bids, proposal, contract form, contract bond, standard specifications, supplemental specifications, special provisions, general and detailed plans, and notice to proceed and any addendum, change order and agreement that is required to complete construction of the work, including any authorized extension of the contract, all of which constitute one instrument, for the improvement of the highway system;

~~(6)(5)~~ "Contract crime," ~~a violation of a state law, a federal law, or a rule, regulation, or order of a federal or state department or agency pertaining to the construction, maintenance, repair, or supervision of highways or to fraud, theft, embezzlement, bribery, forgery, misrepresentation, making false statements, falsification or destruction of records, or any other criminal offense in connection with obtaining, attempting to obtain, or performing a public or private contract or subcontract~~ any of the following if committed in connection with obtaining, attempting to obtain, or performing a public or private contract or subcontract:

(a) Fraud;

(b) Theft;

(c) Embezzlement;

(d) Bribery;

(e) Forgery;

(f) Misrepresentation;

(g) Making false statements;

(h) Falsification or destruction of records;

(i) Any other criminal offense; or

(j) Violation of a federal, state, or local law, rule, regulation, or order;

~~(7)(6)~~ "Contractor₁" a business to whom the commission has awarded a department construction contract;

~~(8)(7)~~ "Conviction₁" any of the following accepted and recorded by a court:

(a) A plea of guilty;

(b) A verdict of guilty by a jury or a finding of guilt by a court; or

(c) A civil ~~verdict or civil judgment against a~~ penalty imposed on the person or business in which a civil penalty is imposed on the person as a result of a contract crime;

~~(9)(8)~~ "Current bidding capacity₁" the maximum dollar amount of work for which a prospective bidder may receive contract awards at any given bid letting;

~~(10)(9)~~ "Debar₁" to disqualify from entering into or being awarded a department construction contract or from serving as a contractor or subcontractor under a department construction contract;

~~(11)(10)~~ "Department₁" the South Dakota Department of Transportation;

~~(12)~~(11) "Maximum bidding capacity rating₁" the maximum dollar amount of work a contractor may have under contract at any one time, either as principal or subcontractor, regardless of whom the work is for or where it is located, as authorized by the committee;

~~(13)~~(12) "Person₁" a natural person;

~~(14)~~(13) "Prequalified₁" possessing the requisite classification and bidding capacity rating to bid on a department construction contract;

~~(15)~~(14) "Principal₁" an officer, director, or partner of a business or an employee or shareholder engaged in management of the business;

~~(16)~~(15) "Prospective bidder₁" a ~~person~~ business proposing to bid or bidding on a department construction contract;

~~(17)~~(16) "Secretary₁" the secretary of the South Dakota Department of Transportation;

~~(18)~~(17) "Suspend₁" to temporarily disqualify from entering into or being awarded a department construction contract or from serving as a contractor or subcontractor under a department construction contract; and

~~(19)~~(18) "Working capital₁" the difference between a contractor's current assets and current liabilities as classified on the contractor's audited financial statement plus 80 percent of the book value of the construction equipment listed in the contractor's prequalification statement and financial statement, plus committee-approved lines of credit.

Source: SL 1975, ch 16, § 1; 8 SDR 45, effective October 28, 1981; 13 SDR 129, 13 SDR 134, effective July 1, 1987; transferred from § 70:01:05:01, 19 SDR 154, effective April 11, 1993; 25 SDR 145, effective May 30, 1999; 40 SDR 121, effective January 6, 2014; 47 SDR 38, effective October 6, 2020; 49 SDR 47, effective November 21, 2022.

General Authority: SDCL 31-5-10.

Law Implemented: SDCL 31-5-10, ~~31-5-10.1, 31-5-10.2,~~ to 31-5-10.3, inclusive.

CHAPTER 70:07:04
SUSPENSION AND DEBARMENT

Section

<u>70:07:04:01</u>	Suspension for subcontracting violation.
<u>70:07:04:02</u>	Suspension of bidder.
<u>70:07:04:03</u>	Suspension -- Notice and content -- Effective date.
<u>70:07:04:04</u>	Repealed.
<u>70:07:04:05</u>	Grounds for debarment -- Contract crime.
<u>70:07:04:06</u>	Grounds for debarment -- Violation of antitrust laws.
<u>70:07:04:07</u>	Conviction of person imputed to business.
<u>70:07:04:08</u>	Debarment based on affiliation.
<u>70:07:04:09</u>	Reasons for debarment <u>by affiliation</u> .
<u>70:07:04:10</u>	Right to hearing on suspension and debarment.
<u>70:07:04:10.01</u>	Notice of suspension or debarment.
<u>70:07:04:10.02</u>	Hearing request.
<u>70:07:04:10.03</u>	Failure to respond.
<u>70:07:04:11</u>	Debarment period when conviction imputed or based on affiliation.
<u>70:07:04:12</u>	Duration of debarment.
<u>70:07:04:13</u>	Effective date of debarment.
<u>70:07:04:14</u>	Time limit for initiating debarment or suspension.
<u>70:07:04:15</u>	Term of debarment
<u>70:07:04:16</u>	Termination of debarment or award during debarment.
<u>70:07:04:17</u>	Continuation of contracts.

- 70:07:04:18 Award of department contracts to debarred or suspended business prohibited -- Exception.
- 70:07:04:19 Subcontracts with debarred or suspended business prohibited -- Exception.
- 70:07:04:20 Suspension of prequalification.
- 70:07:04:21 Period of suspension.
- 70:07:04:22 Prequalification requirements following completion of suspension or debarment.

70:07:04:09. Reasons for debarment by affiliation. The commission may debar a business for the following reasons:

- (1) The business employs a debarred or suspended person or a former principal of a debarred or suspended business ~~or person~~ as an officer, director, or manager or in another significant decision-making capacity while the ~~former principal person~~ or business is debarred or suspended;
- (2) The business is owned by or associated in a joint venture with a debarred or suspended business or person, or is controlled by a principal or former principal of a debarred or suspended business; or
- (3) A ~~former principal of a debarred or suspended business has a~~ significant financial interest in the business is held by a former principal of a debarred or suspended business and the principal has the authority to ~~or will~~ control, direct, manage, or influence activities of the business concerned with the department contract in question.

Source: 19 SDR 154, effective April 11, 1993; 47 SDR 38, effective October 6, 2020.

General Authority: SDCL 31-5-10.

Law Implemented: SDCL 31-5-10.

70:07:04:10.02. Hearing request. To request a hearing, the ~~person~~ business shall submit a written request to the secretary. A mailed hearing request must be postmarked or an electronic hearing request must be received within twenty days following the date of the notice to suspend or debar. Upon receipt of a request for hearing, the secretary shall issue a notice of hearing pursuant to SDCL chapter 1-26.

Source: 47 SDR 38, effective October 6, 2020.

General Authority: SDCL 31-5-10.

Law Implemented: SDCL 31-5-10.

70:07:04:15. Term of debarment. The commission shall establish the term of debarment of a person or business, based on the following:

- (1) The seriousness of the ~~offense~~ reason or ground for debarment;
- (2) Whether restitution has been made for the reason or ground for debarment, if applicable;
- (3) Whether the debarred person or business cooperated in civil or criminal lawsuits regarding the reason or ground for debarment;
- (4) The state's need to preserve the competitive bidding process; and
- (5) Whether the business is debarred or has been debarred in another jurisdiction or in this state.

Source: 19 SDR 154, effective April 11, 1993; 40 SDR 121, effective January 6, 2014.

General Authority: SDCL 31-5-10.

Law Implemented: SDCL 31-5-10.

FORM 15**Rules Presentation Format**

Department/Board/Commission Name: **South Dakota Department of Transportation**

Please complete these questions to show that the SDCL 1-26 rule-making process is complete.

Use this format to organize your presentation to the Committee.

- Approval to proceed? Yes **X** No Date: **August 7, 2026**_____
- Date of public hearing **September 22, 2026**_____
- Date proposed rules and supporting documents submitted to the LRC and the Bureau of Finance and Management **August 19, 2026**_____
 - any publication incorporated by reference;
 - the fiscal note;
 - the impact statement on small business; and
 - the notice of hearing.
- Date and name of newspapers in which the notice of public hearing was published:
 - Date **8/20/2026** Newspaper **Rapid City Journal**_____
 - Date **8/20/2026** Newspaper **Pierre Capital Journal**_____
 - Date **8/20/2026** Newspaper **Sioux Falls Argus Leader**_____
 - Date **8/20/2026** Newspaper **Onida Watchman**_____
- Summary of how, when, and number of interested persons, if any, were contacted.

On August 14, 2026, copies of the hearing notice and proposed rule (ARSD 70:01:02:62 – Union County speed zone rule) were e-mailed or mailed to the individuals or entities who have requested notification of rulemaking. On July 29, 2026, information about this rulemaking was also posted on DOT’s website and on the Open SD website. On August 24, September 8, and September 14, 2026, information about the hearing was posted on DOT’s social media platforms, namely Facebook, X (formerly Twitter), Linked In, and Instagram. On August 14, 2026, copies of the hearing notice and proposed rules were mailed to the mayors and finance officers of Sioux Falls, Kadoka, and Onida, and the sheriffs of Jackson, Sully, and Minnehaha Counties.

- Page numbers in the minutes where the agency considered amendments, data, opinions, or arguments regarding the proposed rules, along with any changes and final action.

- For any rule implementing a bill from a preceding session, the number of the bill:
N/A_____
- Date final rules and supporting documents submitted to the LRC and the Committee



Department of Transportation

Pierre Region Traffic Office

104 S Garfield Ave, Building A

Pierre, South Dakota 57501

PHONE: 605/773-3464

DATE: June 30, 2026

TO: Jon Suomala
Operations Traffic Engineer

FROM: Hannah Bolton
Pierre Region Traffic Engineer

SUBJECT: Proposed Speed Limit Administrative Rule Change
SD Highway 248

Attached for the Transportation Commission's consideration is a speed limit administrative rule change on SD Highway 248 running East and West through the town of Kadoka.

PROPOSED AMENDMENT:

70:01:02:39. Jackson County. The following are the maximum speeds on certain highways in Jackson County:

(1) Interstate South Dakota Highway ~~90 Business Loop~~ 248 beginning 1.3 miles west of the intersection with 13th Ave at the west city limits of Kadoka; then east 0.1 mile, 45 miles per hour; then east 1.2 miles to the intersection with 13th Ave, 30 miles per hour; then east 0.2 miles, and ending at the east city limits, 45 miles per hour;

COST

The estimated cost to make the necessary signing changes, if this proposal is approved, is as follows:

Install new sign: 2 @ \$125.00 per sign = \$ 250.00

- To install two Speed Limit 30 signs

TOTAL: \$ 250.00

EXPLANATION OF THE PROPOSAL:

This speed limit change is to promote speed limit consistency in Kadoka. Currently, SD Highway 73 that runs north and south through Kadoka has a speed limit of 30 mph with limited accesses and business approaches, while SD Highway 248 running east and west through Kadoka, which has a stop condition at the intersection with SD Highway 73, has a speed limit of 45 mph with a higher frequency of business, residential, and school approaches as well as a higher pedestrian presence.

In recent years, the school has added a gymnasium adjacent to the highway and there are many pedestrians along this portion of SD Highway 248 because of the school activities that take place. The City of Kadoka is addressing that in working with the SDDOT on a shared use path and/or lighting in a future project. In 2019, a group of children were walking along the shoulder of the roadway due to school sporting activities adjacent to the highway and a child was struck by a vehicle and killed. Using the shoulders is a common occurrence when activities are in session. The new shared use path will greatly aid in moving pedestrians off the shoulder, but they will still be adjacent to the highway.

For consistency in speed limits throughout Kadoka, to accommodate pedestrians, and due to the stop-control intersection and high number of approaches on this section of SD Highway 248, it is the Department's judgment that the speed limit be lowered to 30 mph. The Speed Limit Setting Tool also recommends setting the speed limit at 30 mph for this section and the SDDOT Safety and Speed Management Group concurs.

This change was initiated by the Jackson County Sheriff's Department, the SDDOT Winner Area Office, and the SDDOT Pierre Region Traffic Office.

SPEED STUDY:

A speed study was conducted on May 15, 2025 on SD248 in the 45 mph zone on the east side of Kadoka. The average speed was 40 mph while the 85th percentile speed was 45 mph.

DATE	5-15-25	TIME	8:25 am to 10:25 am
DAY	Thursday	LOCATION	Kadoka near Jackson County Hwy dept
ROUTE	SD-248	SURFACE	Asphalt
COUNTY	Jackson	CONDITION	Worn
DIRECTION	East-West		

EXISTING SPEED LIMIT MILES PER HOUR

MPH	TOTAL VEHICLES
10	0
12	0
14	0
16	0
18	0
20	0
22	0
24	0
26	4
28	0
30	2
32	4
34	6
36	10
38	5
40	11
42	4
44	11
46	7
48	2
50	2
52	2
54	1
56	0
58	0
60	0
62	0
64	0
66	0
68	0
70	0
72	0
74	0
76	0
78	0
80	0
NUMBER OF VEHICLES CHECKED	71
AVERAGE SPEED MPH	40
PER CENT EXCEEDING SPEED LIMIT	0.0
PER CENT EXCEEDING LIMIT BY MORE THAN 5 MPH	0.0
PER CENT EXCEEDING LIMIT BY MORE THAN 10 MPH	0.0
85 th PERCENTILE SPEED MPH	45.0
TEN MILE PACE MPH 36.0 TO	45.0
PER CENT WITHIN THE PACE	58.4
MEDIAN SPEED MPH	39.0
FASTEST SPEED RECORDED MPH	54.0
SLOWEST SPEED RECORDED MPH	28.0

Figure 1: Speed Study Results

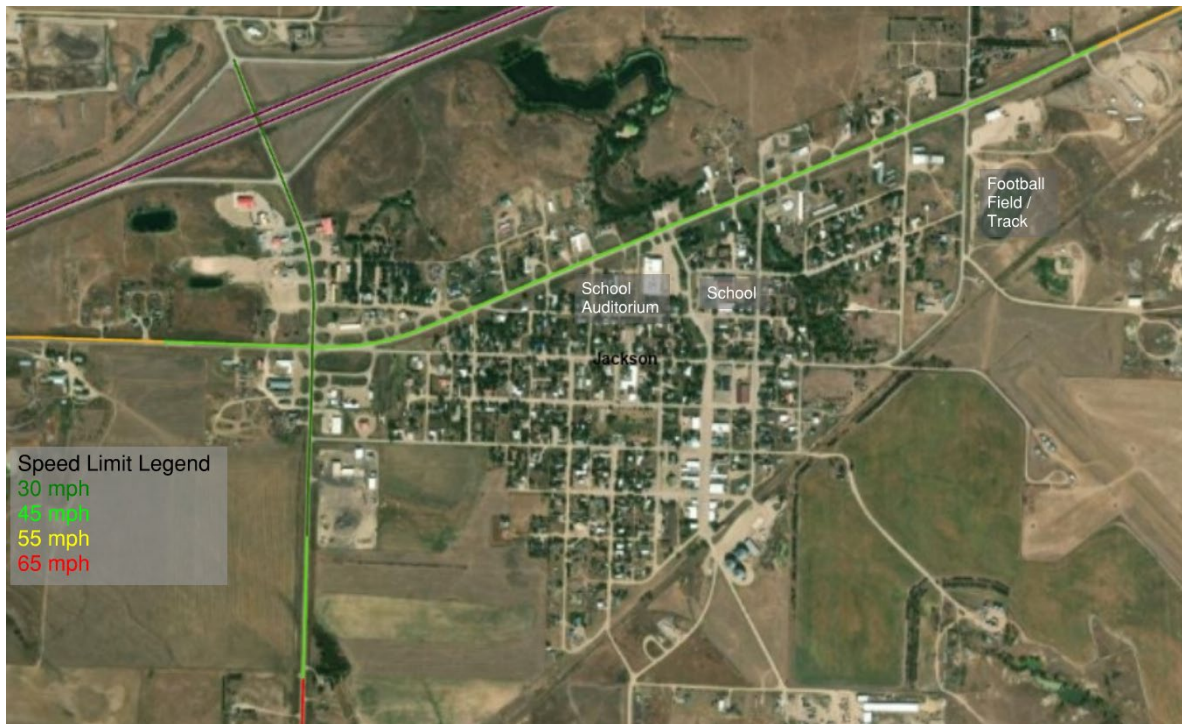


Figure 2: Current Speed Limits



Figure 3: Proposed Speed Limits

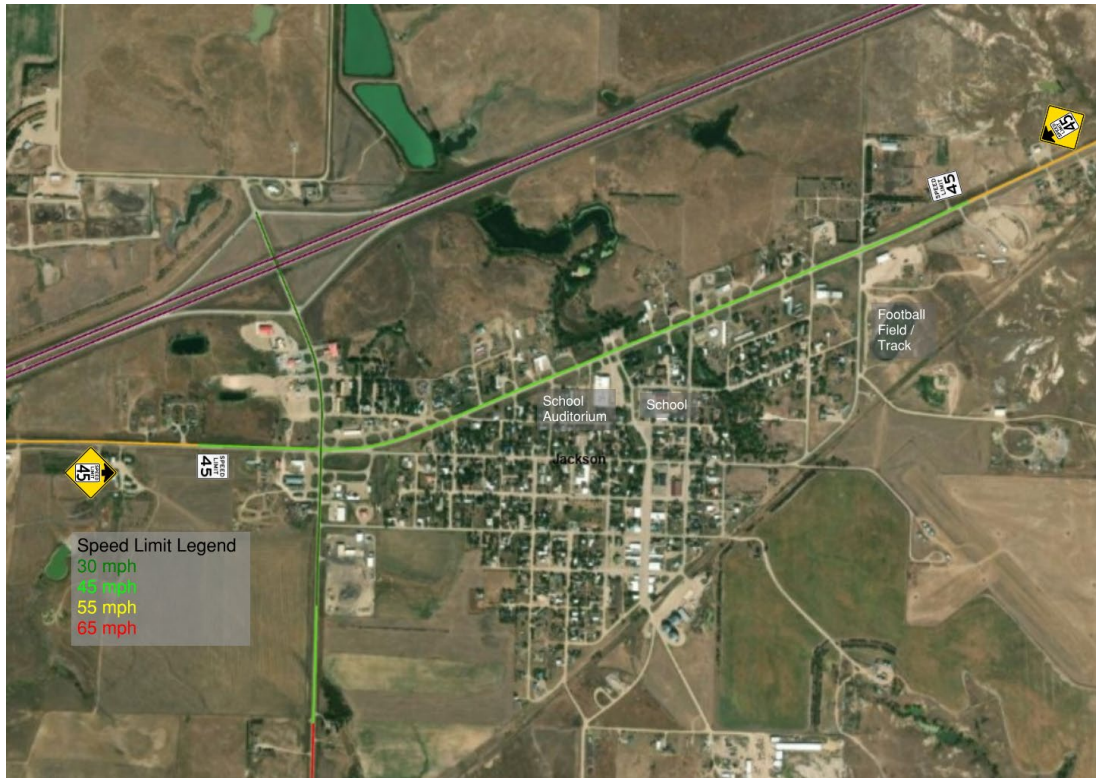


Figure 4: Current Signing

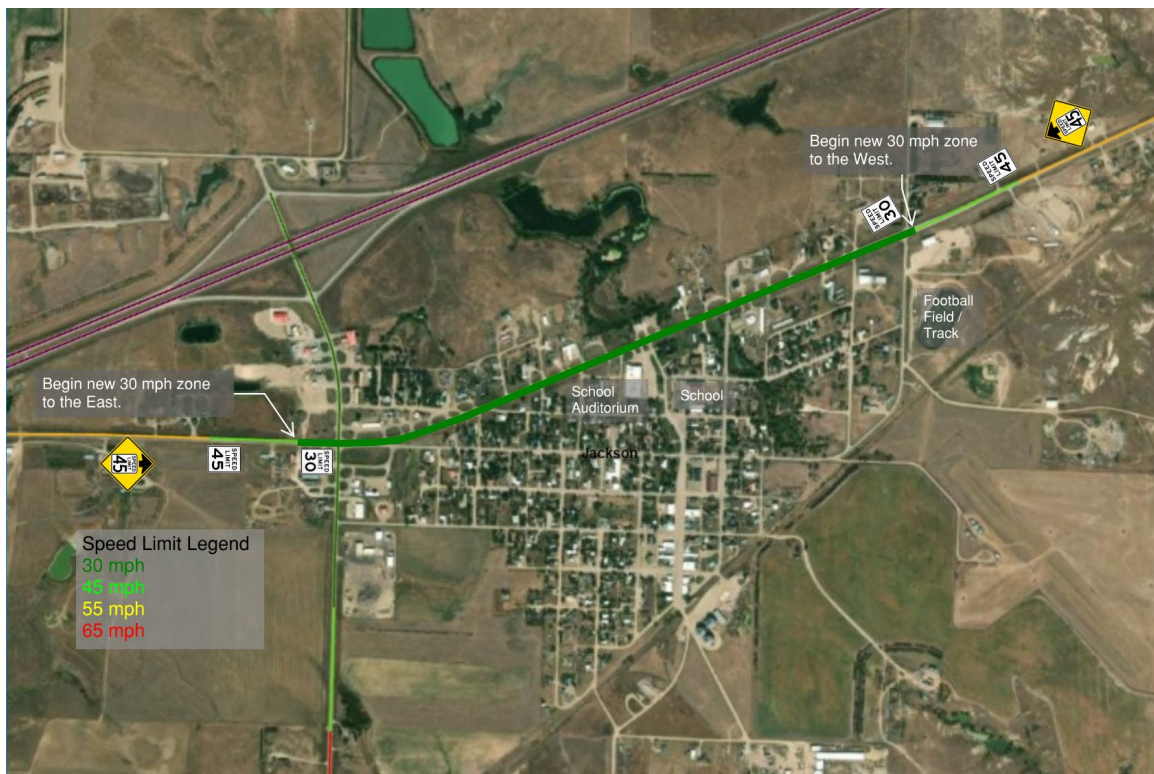


Figure 5: Proposed Signing



Department of Transportation

Pierre Region Office
104 S Garfield Ave
Pierre, South Dakota 57501
PHONE: 605/773-5291

DATE: July 27, 2026

TO: Jon Suomala
Operations Traffic Engineer

FROM: Hannah Bolton
Pierre Region Traffic Engineer

SUBJECT: Proposed Speed Limit Administrative Rule Change
US Highway 83

Attached for the Transportation Commission's consideration is a speed limit administrative rule change on US Highway 83 in Onida.

PROPOSED AMENDMENT:

70:01:02:59. Sully County. The following are the maximum speeds on certain highways in Sully County:

(7) U.S. Highway 83 beginning at the intersection with 186th Street south of Onida, then north 0.6 miles, 55 mph~~0.3 mile south of its junction with Federal Aid Secondary Highway 6026 (Court Avenue) west of Onida,~~ then north 0.6 mile, 45 miles per hour;

COST

The estimated cost to make the necessary signing changes, if this proposal is approved, is as follows:

Relocate sign: 1 @ \$80.00 per sign = \$80.00

- To relocate the existing southbound SPEED LIMIT 65 sign

Install new sign: 3 @ \$125.00 per sign = \$375.00

- To install one northbound Reduced Speed Limit Ahead (55) sign and two SPEED LIMIT 55 signs (one northbound and one southbound)

TOTAL: \$ 455.00

EXPLANATION OF THE PROPOSAL:

The Pierre Region Traffic Office recommends lowering the speed limit for this 0.6 miles from the current 65 mph speed limit to 55 mph. While the 85th percentile speed is 65 mph, the average speed is 54 mph. This combined with the ten-mile pace being from 52 mph to 61 mph indicates that the majority of drivers are comfortable driving at or near 55 mph. The Speed Limit Setting Tool also recommends setting the speed limit at 55 mph for this section and the SDDOT Safety and Speed Management Group concurs.

The development of Onida has recently expanded to the south and the ethanol plant is now also to the south of Onida. In 2018, The SDDOT Pierre Area Office issued an Access Permit to the Sully County Commissioners for the addition of turn lanes on US83 at the intersection of US83 and 186th Street in Sully County to accommodate the increased truck traffic turning into the Ringneck Energy Ethanol Plant. The speed limit through this intersection is currently 65 mph. To the south of the intersection is a small hill that impedes vision for northbound traffic of the situation they are about to encounter with the heavy truck traffic.

For southbound traffic coming from Onida, the speed limit switches from 45 mph to 65 mph on the south side of Onida. When looking at the data for northbound versus southbound, northbound is the slower moving group, with southbound drivers accelerating into the existing 65 mph zone. However, nearby to the south, those southbound drivers are met with the slowing traffic turning onto 186th St. Lowering the speed limit through this segment from 65 mph to 55 mph makes through drivers more aware of the conditions and is more consistent with the average speed that traffic is traveling.

The Sully County Sheriff's Office has been contacted and is in support of this change. The Pierre Region Traffic office and the Pierre Area office are also in support of this change.

SPEED STUDY:

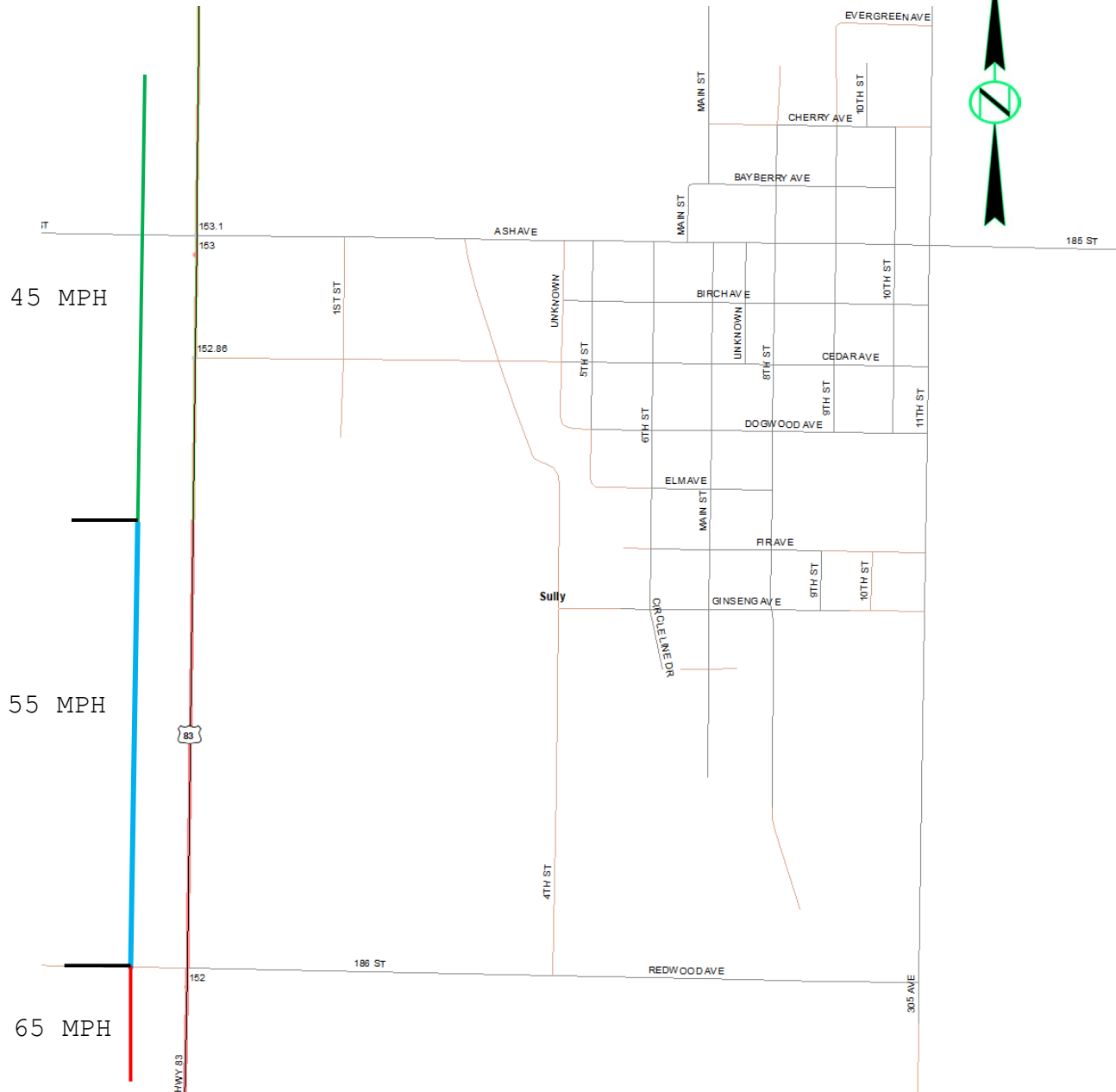
A speed study was conducted on October 10, 2024 in the 65 mph zone south of the 45 mph zone.

Speed Study Results:

NUMBER OF VEHICLES CHECKED	107
AVERAGE SPEED MPH	54
PER CENT EXCEEDING SPEED LIMIT	0.0
PER CENT EXCEEDING LIMIT BY MORE THAN 5 MPH	0.0
PER CENT EXCEEDING LIMIT BY MORE THAN 10 MPH	0.0
85th PERCENTILE SPEED MPH	65.0
TEN MILE PACE MPH	52.0 TO 61.0
PER CENT WITHIN THE PACE	46.8
MEDIAN SPEED MPH	55.0
FASTEST SPEED RECORDED MPH	72.0
SLOWEST SPEED RECORDED MPH	32.0

Existing







Department of Transportation

Mitchell Office

1300 South Ohlman

Mitchell, South Dakota 57301

PHONE: 605/995-8129

DATE: 03/06/2026

TO: Jon Suomala
Operations Traffic Engineer

FROM: Corey Pinkley
Mitchell Region Traffic Engineer

SUBJECT: Proposed Speed Limit Administrative Rule Change
State Trunk Highway 115

Attached for the Transportation Commission's consideration is a speed limit administrative rule change on State Trunk Highway 115 on the north end of Sioux Falls

PROPOSED AMENDMENT:

70:01:02:01. Minnehaha County. The following are the maximum speeds on certain highways in Minnehaha County:

(11) State Trunk Highway 115 beginning at ~~the Lincoln County Line, 57th Street in Sioux Falls, then north to Interstate 229, 40 miles per hour; then north to Russell Street, 30 miles per hour; then northeasterly via North Drive to Cliff Avenue, 35 miles per hour; then north to a point 0.35 0.7 mile north of the junction of Interstate 90 westbound ramps, then north 0.5 mile, 40 45 miles per hour; then north to a point 0.6 mile north of Minnehaha County road 130 (Renner Corner), 55 miles per hour;~~

(1) State Trunk Highway 42 beginning ~~2.17 miles east of the intersection with State Trunk Highway 11 going south at its junction with Six Mile Road,~~ then east for ~~2.79 3.6 miles,~~ 55 miles per hour; then east for ~~0.15 0.2~~ mile, 45 miles per hour; then east for ~~0.37 0.4~~ mile through Rowena, 30 miles per hour; then east for ~~0.18 0.2~~ mile, 45 miles per hour; then east for ~~2.54 2.5~~ miles to the South Dakota/Iowa border, 55 miles per hour;

~~(12) State Trunk Highway 42 beginning at its junction with Minnehaha County Highway 139 (Ellis Road), then east to the Skunk Creek Bridge, 45 miles per hour; then east to Kiwanis~~

~~Avenue in Sioux Falls, 35 miles per hour; then east to the end of State Trunk Highway 42 at its junction with State Trunk Highway 38 at West Avenue, 30 miles per hour;~~

~~(13) State Trunk Highway 42 beginning at the intersection with West Avenue in Sioux Falls, then east to Spring Avenue, 30 miles per hour; then east to Second Avenue, 20 miles per hour; then east to Cleveland Avenue, 30 miles per hour; then east to a point 0.5 mile east of the intersection with Sycamore Avenue, 35 miles per hour; then east to the junction with State Trunk Highway 11 South, 45 miles per hour; then east 2.17 miles, 55 miles per hour;~~

~~(19) State Trunk Highway 11 beginning at the Minnehaha—Lincoln County line, then north for 1.66 miles, 55 miles per hour, then north for 1.4 miles to Arrowhead Parkway in Sioux Falls, 45 miles per hour;~~

COST

The estimated cost to make the necessary signing changes, if this proposal is approved, is as follows:

Remove sign: 1 @ \$30.00 per sign = \$ 30.00

- To remove the existing SPEED LIMIT 55 sign

Install new sign: 3 @ \$125.00 per sign = \$ 375.00

- To install two SPEED LIMIT 45 signs and one SPEED LIMIT 55 sign

Cost to SDDOT: \$250

Cost to City of Sioux Falls: \$155

TOTAL: \$ 405.00

EXPLANATION OF THE PROPOSAL:

The existing speed limits are being adjusted to slow vehicles down through the developed segment. This is being proposed due to speed data and roadway geometrics. The speed limit setting tool suggests using the 85th percentile speed of 53 mph rounded down to the nearest 5 mph increment which would be 50 mph. The tool is suggesting rounding down to the nearest 5 mph increment due to the large number of accesses through this segment. The Mitchell Region Traffic Engineer is recommending setting the speed limit using the 50th percentile speed of 47 rounded to the closest 5 mph increment which would be 45 mph. The reason a speed limit of 45 mph is being recommended is because of the large number of accesses and the way in which

those accesses are spaced is such that it creates significant potential for left turn conflicts in a roadway segment that has a two-way left turn lane. The AASHTO "Green Book", formally titled A Policy on Geometric Design of Highways and Streets, suggests that two-way left turn lanes are best suited for streets with a speed limit of 45 mph or less. The more the opportunity for conflicting lefts within the two-way left turn lane exists the more pertinent this suggestion becomes as there is more potential for head on collisions within the two-way left turn lane. Also, this section is more urban in feel and the percentage of vehicles within the 10-mile pace was only 66% suggesting we don't have a large uniformity of speeds here.

The speed limit changes were initially requested by multiple concerned citizens at a public meeting for the SD115 corridor study. The Mitchell Region Traffic Engineer concurs that the speed limit should be reduced through the developed area of SD115 and is recommending a speed limit of 45 mph.

Captain Robert Mayer of District Two of the South Dakota Highway Patrol, Sergeant Travis Olsen of the Sioux Falls Police Department, and Captain Adam Zishka of the Minnehaha County Sheriff's Office have been contacted and concur with the recommended speed reduction.

Rule (11) is being amended to remove the portions that have been turned over to the city of Sioux Falls and reduce the speed limit through the developed area on SD115.

Rule (1) is being amended to match field conditions as distances calling out SD11 are no longer correct due to changes in roadway ownership between SDDOT and the City of Sioux Falls.

Rule (12) needs to be deleted entirely as this portion of roadway has been turned over to the City of Sioux Falls.

Rule (13) needs to be deleted entirely as this portion of roadway has been turned over to the City of Sioux Falls and part of it overlaps rule (1).

Rule (19) needs to be deleted entirely as this portion of roadway has been turned over to the City of Sioux Falls.

SPEED STUDY:

A speed study was conducted on November 6, 2025, near E 72nd St. N.

Speed Study Results:

Number of vehicles checked	107
Average speed (MPH)	47
Percent exceeding speed limit	5.6%
Percent exceeding speed limit by more than 5 MPH	0.9%

Percent exceeding speed limit by more than 10 MPH	0.0%
85 th Percentile speed (MPH)	53
Ten mile pace (MPH)	43 to 52
Percent within the ten mile pace	66.4%
50 th Percentile speed	47
Fastest speed recorded (MPH)	61
Slowest speed recorded (MPH)	28

CRASH DATA:

2020-2024

3 Injury

16 Total

EXISTING



PROPOSED

