



South Dakota Department of Transportation

Office of Legal Counsel

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Pierre, South Dakota 57501-2558

Phone: 605.773.3262 Fax: 605.773.4442

MEMORANDUM

TO: Joel Jundt
FROM: Karla L. Engle
DATE: September 9, 2021
RE: September 21, 2021 Commission Meeting

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

- 70:01:02:07 – Yankton County speed zone rule; and
- 70:01:02:52 – Moody County speed zone rule.

Copies of the following documents are enclosed with this memo for the 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 the Department's Mitchell region traffic engineer, explaining the purpose and effect of the proposed speed zone changes in Yankton County and Moody County.

Any written comments that are timely received will be provided to the commission at the meeting on September 21, 2021.

Thank you.

KLE
Enclosures

70:01:02:07. Yankton County. The following are the maximum speeds on certain highways in Yankton County:

(1) State Trunk Highway 52 beginning at the west junction with State Trunk Highway 50, then south and east for 3.37 miles, 55 miles per hour; then east for 6.41 miles, 50 miles per hour; then east for 0.23 mile to 0.04 mile west of West City Limits Road in Yankton, 40 miles per hour; then east along West Eighth, Summit, and West Fourth Streets for 1.33 miles to the junction with U.S. Highway 81 and State Trunk Highway 50, 30 miles per hour;

(2) State Trunk Highway 314 beginning at the intersection with State Trunk Highway 50 west of Yankton, then southeasterly 3.68 miles, 55 miles per hour; then southeasterly 0.09 mile to the end of the route, 45 miles per hour;

(3) State Trunk Highway 46 beginning 0.25 mile west of the east Yankton County line, then east for 0.15 mile, 40 miles per hour; then east for 0.1 mile to the east Yankton County line at Irene, 25 miles per hour;

(4) U.S. Highway 81 beginning at the north end of the Missouri River Bridge in Yankton and ending at the ~~south end of the bridge, 35~~ South Dakota/Nebraska border, 45 miles per hour;

(5) U.S. Highway 81 beginning at the north end of the Missouri River Bridge in Yankton, then north to the south junction of U.S. Highway 81 and State Trunk Highway 50, 30 miles per hour; then north on U.S. Highway 81 and State Trunk Highway 50 for 1.89 miles, 30 miles per hour; then north 0.7 mile to the north junction of U.S. Highway 81 and State Trunk Highway 50, 45 miles per hour; then north on U.S. Highway 81 for 0.42 mile, 45 miles per hour; then north for 1.96 miles, 55 miles per hour;

(6) State Trunk Highway 50 beginning at the south junction with U.S. Highway 81 in Yankton, then east for 0.83 mile, 30 miles per hour; then east for 1.19 miles, 35 miles per hour; then east for 1.24 miles, 45 miles per hour; then east for 0.78 mile, 55 miles per hour; then east to the Clay County line, 70 miles per hour.

(7) State Trunk Highway 50 beginning 0.86 mile west of the north junction of U.S. Highway 81 and State Trunk Highway 50, then east 0.86 mile to that junction, 45 miles per hour; and

(8) State Trunk Highway 153 beginning at the intersection with State Trunk Highway 52 near Gavin's Point Dam, then north for 0.9 mile, 45 miles per hour; then north to the intersection of State Trunk Highway 50 northwest of Yankton, 55 miles per hour.

Source: SL 1975, ch 16, § 1; 4 SDR 77, effective March 2, 1978; 5 SDR 51, 5 SDR 53, effective January 3, 1979; 6 SDR 109, effective May 29, 1980; 7 SDR 25, effective September 22, 1980; 7 SDR 117, effective June 21, 1981; 11 SDR 112, effective February 25, 1985; 12 SDR 7, effective July 28, 1985; 13 SDR 77, effective December 28, 1986; 13 SDR 129, 13 SDR 134, effective July 1, 1987; 19 SDR 128, effective March 8, 1993; 22 SDR 165, effective June 2, 1996; 23 SDR 132, effective February 27, 1997; 25 SDR 83, effective December 20, 1998; 26 SDR 110, effective March 6, 2000; 28 SDR 101, effective January 17, 2002; 28 SDR 181, effective July 4, 2002; 32 SDR 53, effective October 10, 2005; 33 SDR 189, effective May 15, 2007; 47 SDR 137, effective June 27, 2021.

General Authority: SDCL 32-25-7, 32-25-7.1.

Law Implemented: SDCL 32-25-7, 32-25-7.1.

70:01:02:52. Moody County. The following are the maximum speeds on certain highways in Moody County:

(1) State Trunk Highway 34 beginning 0.17 mile southwesterly of First Street in Egan, then northeasterly for 0.15 mile, 50 miles per hour; then northeasterly for one-half mile, 35 miles per hour; then northeasterly for 0.15 mile, 50 miles per hour;

(2) State Trunk Highway 34 beginning at the section line road, 0.75 mile west of Main Street in Colman, then east 0.24 mile, 45 miles per hour; then east ~~0.76~~ 0.85 mile, 35 miles per hour; then east ~~0.2~~ 0.35 mile, 45 miles per hour;

(3) State Trunk Highway 13 beginning 0.51 mile south of State Trunk Highway 32 (Pipestone Avenue) in Flandreau, then north 0.175 mile to Broad Avenue, 45 miles per hour; then north 0.49 mile 25 miles per hour; then north 0.175 mile, 45 miles per hour;

(4) State Trunk Highway 32 beginning 0.15 mile west of Industrial Road, then east to Industrial Road, 45 miles per hour; then east 0.26 mile to Veteran Street, 35 miles per hour; then east 1.02 miles through Flandreau to State Trunk Highway 13 (Summit Street), 25 miles per hour;

(5) State Trunk Highway 32 over Interstate Highway 29 at Exit 114 beginning at a point 0.2 mile west of the centerline of Interstate Highway 29, then east 0.4 mile, 40 miles per hour; and

(6) State Trunk Highway 34 beginning 0.32 mile west of the centerline of Interstate Highway 29, then east 0.75 mile, 55 miles per hour.

Source: SL 1975, ch 16, § 1; 4 SDR 26, effective October 31, 1977; 4 SDR 39, effective January 4, 1978; 6 SDR 109, effective May 29, 1980; 9 SDR 111, effective February 27, 1983; 13 SDR 77, effective December 28, 1986; 13 SDR 129, 13 SDR 134,

effective July 1, 1987; 14 SDR 65, effective November 5, 1987; 15 SDR 185, effective June 4, 1989; 17 SDR 127, effective March 3, 1991; 22 SDR 165, effective June 2, 1996; 23 SDR 132, effective February 27, 1997; 42 SDR 109, effective February 8, 2016; 47 SDR 109, April 26, 2021.

General Authority: SDCL 32-25-7.

Law Implemented: SDCL 32-25-7.

FORM 15

Rules Presentation Format

Department/Board/Commission Name: South Dakota Transportation Commission

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 26, 2021
- Date of public hearing September 21, 2021
- Date proposed rules and supporting documents submitted to the LRC and the Bureau of Finance and Management August 30, 2021
 - 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 **August 31, 2021** Newspaper **Yankton Daily Press and Dakotan**
 - Date **August 31, 2021** Newspaper **Pierre Capital Journal**
 - Date **August 31, 2021** Newspaper **Sioux Falls Argus Leader**
 - Date **September 1, 2021** Newspaper **Moody County Enterprise**
- Summary of how, when, and number of interested persons, if any, were contacted.

On August 30, 2021, copies of the hearing notice and proposed rules were sent to the individuals or entities who have requested notification of rule-making by the Transportation Commission. Also on August 30, 2021, copies of the hearing notice and proposed rules were mailed to the sheriffs of Yankton County and Moody County and the mayors and finance officers of Yankton and Colman. The hearing notice, proposed rules, and supporting documents were also posted on the Open SD website.
- 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 the 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

Mitchell Office

PO Box 1206

Mitchell, South Dakota 57301

PHONE: 605/995-8129

FAX: 605/995-8135

DATE: 08/10/2021

TO: Christina Bennett
Operations Traffic Engineer

FROM: Corey Pinkley
Mitchell Region Traffic Engineer

SUBJECT: Proposed Speed Limit Administrative Rule Change US Highway 81

Attached for the Transportation Commission's consideration is a speed limit administrative rule change on US Highway 81 in Yankton, South Dakota.

PROPOSED AMENDMENT:

70:01:02:07. Yankton County

(4) U.S. Highway 81 beginning at the north end of the Missouri River Bridge in Yankton and ending at the ~~south end of the bridge~~ Nebraska and South Dakota state line, ~~35~~ 45 miles per hour;

EXPLANATION OF THE PROPOSAL:

This is to clean up an existing rule and update it to the speed limit currently posted. The roadway geometry on the bridge is a four-lane highway with a large, crosshatched median of pavement markings. There are no ramps or other access points along the structure. The 45-mph speed zone is appropriate for the roadway geometry of the bridge.

COST:

There is no cost to make the changes; the rule is being amended to correct a discrepancy between the language and the signs in place.

SPEED STUDY:

A speed study was not conducted for this location. Because the speed zone is on the bridge, it would be difficult to conduct a speed study without impacting traffic or creating a safety concern. DOT has not received complaints or requests to change the existing 45 mph speed zone on the bridge.

MAP:





Department of Transportation
Mitchell Office
PO Box 1206
Mitchell, South Dakota 57301
PHONE: 605/995-8129
FAX: 605/995-8135
<https://dot.sd.gov>

DATE: 06/15/2021

TO: Christina Bennett
Operations Traffic Engineer

FROM: Corey Pinkley
Mitchell Region Traffic Engineer

SUBJECT: Proposed Speed Limit Administrative Rule Change on SD Highway 34

Attached for the Transportation Commission's consideration is a speed limit administrative rule change on SD Highway 34 through Colman, South Dakota.

PROPOSED AMENDMENT:

70:01:02:52. Moody County

(2) State Trunk Highway 34 beginning at the section line road, 0.75 mile west of Main Street in Colman, then east 0.24 mile, 45 miles per hour; then east ~~0.76~~ 0.85 mile, 35 miles per hour; then east ~~0.2~~ 0.35 mile, 45 miles per hour;

COST

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

Remove sign: 5 @ \$20.00 per sign = \$ 100.00

- To remove the existing SPEED LIMIT 35 sign, SPEED LIMIT 65 sign, two SPEED LIMIT 45 signs, and the Reduced Speed Limit Ahead 45 sign.

Install new sign: 5 @ \$100.00 per sign = \$ 500.00

- To install one Reduced Speed Limit Ahead 45 sign, one SPEED LIMIT 35 sign, two SPEED LIMIT 45 signs, and one SPEED LIMIT 65 sign.

TOTAL: \$ 600.00

EXPLANATION OF THE PROPOSAL:

The existing 35-mph speed zone is being adjusted to slow vehicles down prior to the intersection of SD Highway 34 and S Allen Ave on the east edge of town. S Allen Ave leads north just a few hundred feet to the Colman-Egan Area school. There is a housing development to the south side of this intersection that seeing more houses being built and more kids and traffic crossing the intersection toward the school.

The 45-mph speed zone is being extended further east to encompass the entrance to a new Dollar General store that will generate increased traffic and turning movements. Potential future adjustments to the 35- and 45-mph speed zones on the east side of Colman will also be examined with the construction of turn lanes to new developments in this segment on a DOT project scheduled for 2025.

The speed limit changes were initially requested by the City of Colman. The DOT Mitchell Region Traffic Engineer concurs with the City's request. Captain Whisler of the SD Highway Patrol and Sheriff Troy Wellman of the Moody County Sheriff's Office also concur with the changes.

SPEED STUDY:

Speed studies were conducted in 2018. Between S Loban Ave and S Allen Ave vehicles the 85th percentile speed was 35 mph. A speed study was also conducted where the speed limit currently changes from 45 mph to 65 mph and the 85th percentile speed was 53 mph for eastbound traffic and 49 mph for westbound traffic.



PROPOSED

