



Division of Secretariat
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MEMORANDUM

TO: Joel Jundt

FROM: Karla L. Engle

DATE: September 20, 2023

RE: September 26, 2023 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.

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;
3. Memo from the Department's traffic engineer, explaining the purpose and effect of the proposed speed zone changes.

Any written comments that are timely received will be provided to the Commission at the meeting on September 26, 2023.

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~~ fifty-five miles per hour; then east for 6.41 miles, ~~50~~ fifty miles per hour; then east for 0.23 mile to 0.04 mile west of West City Limits Road in Yankton, ~~40~~ forty miles per hour; then ~~east along West Eighth, Summit, and West Fourth Streets for~~ 1.33 miles on State Trunk Highway 52 to the junction with U.S. Highway 81 and State Trunk Highway 50, ~~30~~ thirty 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~~ fifty-five miles per hour; then southeasterly 0.09 mile to the end of the route, ~~45~~ forty-five 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~~ forty miles per hour; then east for 0.1 mile to the east Yankton County line at Irene, ~~25~~ twenty-five 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 Dakota/Nebraska border, ~~45~~ forty-five 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~~ thirty miles per hour; then north on U.S. Highway 81 and State Trunk Highway 50 for 1.89 miles, ~~30~~ thirty miles per hour; then north 0.7 mile to the north junction of U.S. Highway 81 and State Trunk Highway 50, ~~45~~ forty-five miles per hour; then north on U.S. Highway 81 for 0.42 mile, ~~45~~ forty-five miles per hour; then north for 1.96 miles, ~~55~~ fifty-five 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~~ thirty miles per hour; then east for 1.19 miles, ~~35~~ thirty-five miles per hour; then east for 1.24 miles, ~~45~~ forty-five miles per hour; then east for 0.78 mile, ~~55~~ fifty-five miles per hour; then east to the Clay County line, ~~70~~ seventy miles per hour.

(7) State Trunk Highway 50 beginning ~~0.86 mile~~ 1.28 miles west of the north junction of U.S. Highway 81 and State Trunk Highway 50, then east ~~0.86 mile~~ 1.28 miles to that junction, ~~45~~ forty-five 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~~ forty-five miles per hour; then north to the intersection of State Trunk Highway 50 northwest of Yankton, ~~55~~ fifty-five 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; 48 SDR 54, effective November 15, 2021.

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

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

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 22, 2023**
- Date of public hearing **September 26, 2023**
- Date proposed rules and supporting documents submitted to the LRC and the Bureau of Finance and Management **September 1, 2023**
 - 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 **8/30/2023** Newspaper **Pierre Capitol Journal**
 - Date **8/31/2023** Newspaper **Sioux Falls Argus Leader**
 - Date **8/31/2023** Newspaper **Rapid City Journal**
 - Date **8/31/2023** Newspaper **Yankton Daily Press & Dakotan**
- Summary of how, when, and number of interested persons, if any, were contacted.

On September 1, 2023, copies of the hearing notice and proposed rule were e-mailed to the five individuals or entities who have requested e-mail notification of rulemaking. On August 29, 2023, copies of the hearing notice and proposed rule were mailed to the individuals or entities who have requested mail notification of rulemaking. Also on August 29, 2023, copies of the hearing notice and proposed rule were mailed to the mayor and finance officer of Yankton and the sheriff of Yankton County.

- 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**

Mitchell Office

PO Box 1206

Mitchell, South Dakota 57301

PHONE: 605/995-8129

FAX: 605/995-8135

DATE: August 7, 2023

TO: Jon Suomala
Operations Traffic EngineerFROM: Corey Pinkley
Mitchell Region Traffic EngineerSUBJECT: Proposed Speed Limit Administrative Rule Change
SD Highway 50

Attached for the Transportation Commission's consideration is a speed limit administrative rule change on South Dakota Highway 50 coming into Yankton, South Dakota.

PROPOSED AMENDMENT:**70:01:02:07. Yankton County**

(7) State Trunk Highway 50 beginning ~~0.86~~ 1.28 miles west of the north junction of U.S. Highway 81 and State Trunk Highway 50, then east ~~0.86~~ 1.28 miles to that junction, ~~45~~ forty-five miles per hour;

COST

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

Remove sign: 3 @ \$20.00 per sign = \$ 60.00

- To remove the existing SPEED LIMIT 65 sign, the existing SPEED LIMIT 45 sign, and the advance SPEED ZONE AHEAD 45 sign.

Install new sign: 3 @ \$100.00 per sign = \$ 300.00

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

TOTAL: \$ 360.00

EXPLANATION OF THE PROPOSAL:

The existing speed limit reduction is being proposed to be extended in order to capture busy intersections and accesses along SD 50.

Currently the speed zone starts to the east of the Yankton area DOT office in the 4-lane section and goes to the intersection of US 81. This proposal will start the speed zone sooner encompassing the SD DOT area office access, W City Limits Road which has become increasingly busy and Schultz St. where there are approximately 25 mobile homes. At the intersection of SD 50 and West City Limits Rd a gas station has been added in the southeast corner adding to the busyness of this intersection. Also, in 2026 there is a project that will make this section of roadway from US 81 to west of W. City Limits Road a 5 lane so reduced speeds also make sense due to that.

In the last five years, there have been five crashes in the section that is proposed to be changed. Three of the crashes were rear-end crashes, one crash was an angle crash at an intersection, and one crash was due to mechanical failure. The three rear-end crashes and the angle intersection crash are considered to be speed-related crashes.

The speed limit changes were initially requested by Tom Rezac of Yankton, SD. Yankton Area DOT also thought this request sounded reasonable. The Mitchell Region Traffic Engineer concurs with Tom Rezac and the South Dakota DOT Yankton Area Office's request.

Captain Robert Whisler of District Two of the South Dakota Highway Patrol concurs with the request. Sheriff Preston Crissey of the Yankton County Sheriff's office concurs with the request.

SPEED STUDY:

A speed study was conducted on July 19, 2023, on SD 50 approximately 300' east of Schultz St.

Speed Study Results:Eastbound:

Number of Vehicles Checked:	100
Average Speed (mph):	44
Percent Exceeding Speed Limit:	41%
Percent Exceeding Speed Limit By More Than 5 mph:	9%
Percent Exceeding Speed Limit By More Than 10 mph:	2%
85 th Percentile Speed (mph):	48
Ten Mile Pace (mph):	43 to 53
Percent Within the Pace:	57%
Median Speed (mph):	45
Fastest Speed Recorded (mph):	58
Slowest Speed Recorded (mph):	31

Westbound:

Number of Vehicles Checked:	100
Average Speed (mph):	46
Percent Exceeding Speed Limit:	54%
Percent Exceeding Speed Limit By More Than 5 mph:	16%
Percent Exceeding Speed Limit By More Than 10 mph:	4%
85 th Percentile Speed (mph):	49
Ten Mile Pace (mph):	45 to 55
Percent Within the Pace:	60%
Median Speed (mph):	46
Fastest Speed Recorded (mph):	63
Slowest Speed Recorded (mph):	31

EXISTING:



PROPOSED:

