



Division of Secretariat
Office of Legal Counsel
700 East Broadway Avenue
Pierre, South Dakota 57501
O: 605.773.4396 | dot.sd.gov

MEMORANDUM

TO: Joel Jundt

FROM: Karla L. Engle

DATE: June 17, 2025

RE: June 26, 2025 Commission Meeting

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

- 70:01:02:03 – Brown 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. A memo from the Department's Aberdeen Region traffic engineer, explaining the purpose and effect of the proposed changes.

Any written comments that are timely received will be provided to the Commission at the meeting on June 26, 2025.

Thank you.

KLE
Enclosures

70:01:02:03. Brown County. The following are the maximum speeds on certain highways in Brown County:

(1) U.S. Highway 12 in Aberdeen beginning 1.2 miles west of the west junction of U.S. Highway 12 and U.S. Highway 281, then east for 1.0 mile, ~~55~~ fifty-five miles per hour; then east for 0.2 mile to the junction, ~~45~~ forty-five miles per hour; then east for 3.09 miles, ~~30~~ thirty miles per hour; then east for 1.1 miles, ~~35~~ thirty-five miles per hour; then east for 0.8 mile, ~~45~~ forty-five miles per hour; then east for ~~1.4~~ 4.35 miles, ~~55~~ fifty-five miles per hour; ~~then east for 3.27 miles, 65 miles per hour;~~ then east to a point 0.38 mile west of the junction with State Trunk Highway 37 in Groton, ~~70~~ seventy miles per hour;

(2) U.S. Highway 12 beginning 0.38 mile west of the junction with State Trunk Highway 37 in Groton, then east for 0.17 mile, ~~50~~ fifty miles per hour; then east for 0.51 mile, ~~35~~ thirty-five miles per hour; then east for 0.22 mile, ~~45~~ forty-five miles per hour; then east for 1.2 miles, ~~60~~ sixty miles per hour; then east to the Day County line, ~~70~~ seventy miles per hour;

(3) U.S. Highway 281 beginning at the junction of U.S. Highway 12 (6th Avenue) and U.S. Highway 281 (2nd Street) in Aberdeen, then north 1.0 mile, ~~30~~ thirty miles per hour; then north 1.92 miles, ~~45~~ forty-five miles per hour; then north 2.3 miles, ~~55~~ fifty-five miles per hour;

(4) State Trunk Highway 37 beginning 0.5 mile north of the junction with U.S. Highway 12 in Groton, then south for 0.15 mile, ~~50~~ fifty miles per hour; then south for 1.22 miles, ~~35~~ thirty-five miles per hour; then south for 0.21 mile, ~~50~~ fifty miles per hour;

(5) State Trunk Highway 37 through Hecla beginning 0.1 mile south of Brown County Highway 5, then north 0.6 mile, ~~45~~ forty-five miles per hour;

(6) On the service road which is parallel and adjacent to U.S. Highway 281, beginning 0.06 mile south of the centerline of U.S. Highway 12, then south on the service road 2.45 miles, ~~45~~ forty-five miles per hour;

(7) State Trunk Highway 10 through Houghton, beginning 0.34 mile east of Brown County Highway 18, then west for 0.3 mile, ~~50~~ fifty miles per hour; then west for 0.46 mile, ~~35~~ thirty-five miles per hour; then west for 0.3 mile, ~~50~~ fifty miles per hour;

(8) U.S. Highway 281 beginning at the south side of the junction of U.S. Highway 12 and U.S. Highway 281 in Aberdeen, then south for 0.3 miles, ~~45~~ forty-five miles per hour; then south for 1.8 miles, ~~55~~ fifty-five miles per hour; then south for 0.57 mile, ~~65~~ sixty-five miles per hour; then south to the Spink County line, ~~70~~ seventy miles per hour; and

(9) U.S. Highway 281 Truck Bypass beginning at the north side of the junction of U.S. Highway 12 and U.S. Highway 281, then north and east for 1.51 miles to the junction with U.S. Highway 281, ~~45~~ forty-five miles per hour.

Source: SL 1975, ch 16, § 1; 7 SDR 25, effective September 22, 1980; 9 SDR 7, effective July 27, 1982; 9 SDR 35, effective September 19, 1982; 9 SDR 111, effective February 27, 1983; 13 SDR 129, 13 SDR 134, effective July 1, 1987; 14 SDR 85, effective December 23, 1987; 19 SDR 89, effective December 21, 1992; 19 SDR 128, effective March 8, 1993; 19 SDR 181, effective May 30, 1993; 20 SDR 96, effective December 29, 1993; 20 SDR 183, effective May 9, 1994; 21 SDR 61, effective October 2, 1994; 22 SDR 165, effective June 2, 1996; 24 SDR 165, effective May 31, 1998; 25 SDR 132, effective May 2, 1999; 26 SDR 124, effective April 2, 2000; 26 SDR 162, effective June 11, 2000; 28 SDR 24, effective August 29, 2001; 30 SDR 21, effective August 25, 2003; 30 SDR

171, effective May 11, 2004; 31 SDR 165, effective May 11, 2005; 32 SDR 53, effective October 10, 2005; 35 SDR 262, effective May 20, 2009; 44 SDR 95, effective December 5, 2017.

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 **May 22, 2025**
- Date of public hearing **June 26, 2025**
- Date proposed rules and supporting documents submitted to the LRC and the Bureau of Finance and Management **May 29, 2025**
 - 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 **6/5/2025** Newspaper **Sioux Falls Argus Leader**
 - Date **6/5/2025** Newspaper **Aberdeen News**
 - Date **6/5/2025** Newspaper **Rapid City Journal**
 - Date **6/4/2025** Newspaper **Mitchell Republic**
- Summary of how, when, and number of interested persons, if any, were contacted.

On May 29, 2025, copies of the hearing notice and proposed rules were e-mailed to the individuals or entities who have requested e-mail notification of rulemaking. On the same date, copies of the hearing notice and proposed rules were mailed to the individuals or entities who have requested mail notification of rulemaking. Also on May 29, 2025, copies of the hearing notice and proposed rules were mailed to the mayor and finance officer of Aberdeen the sheriff of Brown 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

Aberdeen Region Office

PO BOX 1767

Aberdeen, South Dakota 57401

PHONE: 605/626-7879

DATE: May 2, 2025

TO: Jon Suomala
Operations Traffic Engineer

FROM: Matt Dorfschmidt
Aberdeen Region Traffic Engineer

SUBJECT: Proposed Speed Limit Administrative Rule Change
US Highway 12

Attached for the Transportation Commission's consideration is a speed limit administrative rule change on US 12 East of Aberdeen.

PROPOSED AMENDMENT:

70:01:02:03. Brown County. The following are the maximum speeds on certain highways in Brown County:

(1) U.S. Highway 12 in Aberdeen beginning 1.2 miles west of the west junction of U.S. Highway 12 and U.S. Highway 281, then east for 1.0 mile, 55 miles per hour; then east for 0.2 mile to the junction, 45 miles per hour; then east for 3.09 miles, 30 miles per hour; then east for 1.1 miles, 35 miles per hour; then east for 0.8 mile, 45 miles per hour then east for ~~1.1~~ 4.35 miles, 55 miles per hour; ~~then east for 1.76 miles, 65 miles per hour;~~ then east to a point 0.38 mile west of the junction with State Trunk Highway 37 in Groton, 70 miles per hour;

COST

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

Remove sign: 4 @ \$30.00 per sign = \$ 120.00

- To remove the existing Reduced Speed Limit Ahead (65 & 55) signs and SPEED LIMIT 65 signs

Relocate sign: 2 @ \$80.00 per sign = \$ 160.00

- To relocate the existing SPEED LIMIT 70 sign and SPEED LIMIT 55 sign

Install new sign: 4 @ \$125.00 per sign = \$ 500.00

- To install two Reduced Speed Limit Ahead (55) signs and two SPEED LIMIT 55 signs

TOTAL: \$780.00

EXPLANATION OF THE PROPOSAL/SPEED STUDY INFORMATION:

The proposed change would extend the current 55 mph speed limit east of Aberdeen through the intersection at Bath Corner. This recommendation follows a recent construction project that altered the lane configuration in this area, changing from a four-lane divided section to a five-lane undivided section. Since this lane configuration is new, recent crash data is not yet available to include in the department's evaluation.

Four speed studies were conducted on January 29, 2025, at two locations along the corridor. One near 393rd Avenue and the other near 395th Avenue (Bath Corner) in each the eastbound and westbound directions. Each study involved over 200 vehicles and was conducted under dry conditions.

Across all locations, the 85th percentile speed was consistently 67 mph, with average speeds ranging from 62 to 65 mph. Most vehicles were traveling in the 60–70 mph range.

With the new lane configuration, the department classified this segment of highway as a developed urban principal arterial for analyzation using the NCHRP 17-76 Speed Limit Setting Tool. This tool advises that speed limits in these settings should not exceed 55 mph. Although speed studies show that the 85th percentile speeds are around 67 mph, the engineering judgment supported by national standards prioritizes road context and safety over matching prevailing speeds.

The speed study was requested by the Aberdeen Region Engineer as a result of concerns raised by businesses and concerned citizens that use the highway in this location. The Aberdeen Region Engineer concurs with the recommendation.

Captain Randi Erickson of District One of the South Dakota Highway Patrol, Brown County Sheriff Dave Lunzman, and Aberdeen Police Chief Dave McNeil have been contacted and concur with the recommended speed reduction.



55 MPH

65 MPH

70 MPH

