



South Dakota Department of Transportation

Office of Legal Counsel

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Pierre, South Dakota 57501-2558

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MEMORANDUM

TO: Joel Jundt
FROM: Karla L. Engle
DATE: July 18, 2023
RE: July 27, 2023 Commission Meeting

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

- 70:01:02:00 – Interstate highways speed zone rule; and
- 70:01:02:27 – Fall River 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 traffic engineers, 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 July 27, 2023.

Thank you.

KLE
Enclosures

70:01:02:00. Interstate highways. The following are the maximum speed limits on certain portions of the interstate highway system:

(1) Interstate Highway 90 beginning at milepost 0.0 and ending at milepost 55.02, ~~75~~ seventy-five miles per hour; then beginning at milepost 55.02 and ending at milepost 67.8 and beginning at milepost 394.6 and ending at milepost ~~400.95~~ 403.19, 65 miles per hour;

(2) Interstate Highway 29 beginning at milepost 0.0 and ending at milepost 04.7, then beginning at milepost 72.72 and ending at milepost 85.25, ~~65~~ sixty-five miles per hour;

(3) Interstate Highway 190 beginning at its intersection with State Trunk Highway 44, then north for 0.2 mile, ~~45~~ forty-five miles per hour; then north for 1.3 miles to the intersection with Interstate Highway 90, ~~60~~ sixty miles per hour;

(4) Interstate Highway 229 northbound lanes beginning at milepost 0.0 ~~(at the junction with Interstate 29)~~, then north to a point 0.5 miles south of the centerline of Interstate 90, ~~65~~ sixty-five miles per hour; and

(5) Interstate Highway 229 southbound lanes beginning at milepost 0.0, ~~(at the junction with Interstate 29)~~, then north to the centerline of Interstate 90, ~~65~~ sixty-five miles per hour; then north 0.25 mile to Minnehaha County Road 125, ~~55~~ fifty-five miles per hour.

Each year from the Thursday preceding the first Friday in August through the second Sunday after the first Friday in August, the maximum speed limit is ~~65~~ sixty-five miles per hour on the portion of Interstate Highway 90 beginning at milepost 28.9 and ending at milepost 55.02.

Source: 13 SDR 196, effective June 28, 1987; 17 SDR 12, effective July 30, 1990; 8 SDR 15, effective August 1, 1991; 21 SDR 81, effective October 31, 1994; 22 SDR 165, effective June 2, 1996; 30 SDR 89, effective December 7, 2003; 38 SDR 8, effective August 3, 2011; 40 SDR 197, effective May 27, 2014; 41 SDR 217, effective June 29, 2015; 42 SDR 174, effective June

23, 2016; 43 SDR 131, effective April 19, 2017; 46 SDR 26, effective September 2, 2019; 46 SDR 146, effective June 30, 2020.

General Authority: SDCL 32-25-7.

Law Implemented: SDCL 32-25-7.

70:01:02:27. Fall River County. The following are the maximum speeds on certain highways in Fall River County:

(1) U.S. Highway 18 beginning at the junction with U.S. Highway 385 ~~at the east edge of~~ ~~in~~ Hot Springs, then westerly for 0.4 mile, ~~35~~ thirty-five miles per hour; then westerly for 0.5 mile, ~~45~~ forty-five miles per hour; then westerly for 0.6 mile, ~~50~~ fifty miles per hour; then westerly for 0.2 mile to the junction with University Avenue, ~~40~~ forty miles per hour;

(2) State Trunk Highway 71 beginning at the Nebraska state line, then north for 1.11 miles, ~~55~~ fifty-five miles per hour; then northerly for 0.9 mile, ~~40~~ forty miles per hour; then northeasterly for 32.8 miles, ~~55~~ fifty-five miles per hour; then northeasterly for 0.34 mile to the intersection of U.S. Highway 18, ~~45~~ forty-five miles per hour;

(3) State Trunk Highway 471 beginning at its intersection with State Trunk Highway 71, then northwesterly for 13.24 miles, ~~55~~ fifty-five miles per hour; then northwesterly for 0.59 mile, ~~35~~ thirty-five miles per hour; then northerly for 6.48 miles, ~~55~~ fifty-five miles per hour; then northerly for 0.63 mile, ~~35~~ thirty-five miles per hour; then northerly to the intersection with U.S. Highway 18, ~~25~~ twenty-five miles per hour;

(4) U.S. Highway 18 beginning 3.0 miles west of the junction with University Avenue at the west edge of Hot Springs, then east for 2.8 miles, ~~55~~ fifty-five miles per hour; then east for 0.2 mile, ~~35~~ thirty-five miles per hour;

(5) U.S. Highway 18 beginning at the junction with State Trunk Highway 79, then westerly for 1.68 miles, ~~55~~ fifty-five miles per hour; then westerly for 2.11 miles, ~~50~~ fifty miles per hour; then westerly to the junction with U.S. Highway 385, ~~35~~ thirty-five miles per hour;

(6) U.S. Highway 385 beginning at the junction with U.S. Highway 18 in Hot Springs, ~~then northerly for 0.32 miles, 35 miles per hour;~~ then northerly for ~~1.81~~ 2.13 miles, ~~25~~ twenty-five miles per hour; then northerly for 0.47 mile, ~~35~~ thirty-five miles per hour; then northerly for 0.19 mile, ~~45~~ forty-five miles per hour;

(7) U.S. Highway 385 beginning at the Nebraska border, then north to a point 0.69 mile south of the junction with U.S. Highway 18, ~~70~~ seventy miles per hour for those segments of highway ~~which that~~ are ~~four-lane~~ four-lane divided sections; then north to the junction with U.S. Highway 18, ~~55~~ fifty-five miles per hour;

(8) U.S. Highway 18 beginning at the junction with U.S. Highway 385 near Oelrichs, then westerly for 0.15 mile, ~~55~~ fifty-five miles per hour; then westerly to a point 0.26 mile south of the intersection with State Trunk Highway 79, ~~70~~ seventy miles per hour for those segments of highway ~~which that~~ are ~~four-lane~~ four-lane divided sections; then north to the junction with State Trunk Highway 79, ~~55~~ fifty-five miles per hour;

(9) State Trunk Highway 79 beginning at the junction with U.S. Highway 18, then north for 0.35 mile, ~~55~~ fifty-five miles per hour; then north to the Custer County line, ~~70~~ seventy miles per hour for those segments of highway ~~which that~~ are ~~four-lane~~ four-lane divided sections;

(10) U.S. Highway 18 beginning 0.60 mile west of the junction with State Trunk Highway 471, then east 0.74 mile, ~~55~~ fifty-five miles per hour;

(11) U.S. Highway 18P beginning at its west junction with U.S. Highway 18, then easterly to the west junction with State Trunk Highway 471 in Edgemont, ~~25~~ twenty-five miles per hour; and

(12) U.S. Highway 18P beginning at its east junction with U.S. Highway 18, then westerly for 0.4 mile, ~~45~~ forty-five miles per hour, then westerly to the east junction with State Trunk Highway 471 in Edgemont, ~~25~~ twenty-five miles per hour.

Source: SL 1975, ch 16, § 1; 6 SDR 5, effective July 30, 1979; 6 SDR 109, effective May 29, 1980; 11 SDR 112, effective February 25, 1985; 12 SDR 7, effective July 28, 1985; 12 SDR 138, effective February 23, 1986; 13 SDR 9, effective August 3, 1986; 13 SDR 129, 13 SDR 134, effective July 1, 1987; 14 SDR 111, effective February 28, 1988; 16 SDR 102, effective December 20, 1989; 22 SDR 165, effective June 2, 1996; 23 SDR 132, effective February 27, 1997; 24 SDR 165, effective May 31, 1998; 25 SDR 108, effective March 1, 1999; 32 SDR 109, effective December 26, 2005; 44 SDR 95, effective December 5, 2017; 48 SDR 39, effective October 3, 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 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 June 20, 2023

- Date of public hearing July 27, 2023

- Date proposed rules and supporting documents submitted to the LRC and the Bureau of Finance and Management July 5, 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 July 7, 2023 Newspaper Sioux Falls Argus Leader
 - Date July 7, 2023 Newspaper Black Hills Pioneer
 - Date July 7, 2023 Newspaper Brookings Register

- Summary of how, when, and number of interested persons, if any, were contacted.
On July 6, 2023, copies of the hearing notice and proposed rules were mailed or e-mailed to the fourteen individuals or entities who have requested mail or e-mail notification of rule-making by the commission. Also on July 6, 2023, copies of the hearing notice and proposed rules were mailed to the sheriffs of Fall River and Minnehaha Counties and the mayors and finance officers of Brandon, Sioux Falls, and Hot Springs. 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: June 7, 2023

TO: Jon Suomala
Operations Traffic Engineer

FROM: Corey Pinkley
Mitchell Region Traffic Engineer

SUBJECT: Proposed Speed Limit Administrative Rule Change
Interstate Highway 90

Attached for the Transportation Commission's consideration is a speed limit administrative rule change on Interstate Highway 90 between Sioux Falls and Brandon, South Dakota.

PROPOSED AMENDMENT:

70:01:02:00. Interstate highways

(1) Interstate Highway 90 beginning at milepost 0.0 and ending at milepost 55.02, 75 miles per hour; then beginning at milepost 55.02 and ending at milepost 67.8 and beginning at milepost 394.6 and ending at milepost ~~400.95~~ 403.19, 65 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 80 minimum 40 sign, and the two advance SPEED ZONE AHEAD 65 signs.

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

- To install two Reduced Speed Limit Ahead 65 signs, two SPEED LIMIT 65 signs, and one SPEED LIMIT 80 minimum 40 sign.

TOTAL: \$ 560.00

EXPLANATION OF THE PROPOSAL:

The existing speed limits are being proposed to be reduced due to traffic and geometric issues from east of exit 400, east through exit 402. With Veterans Parkway being built at exit 402, there are now more merging movements between I-229 and exit 402, with exit 402 now being a more urbanized boundary. A 65-mph speed limit would give drivers more time to make merging movements between the exits.

Also, there is a vertical curve west of exit 402 and the eastbound exit ramp for exit 402 is just east of the crest of the hill. This exit comes up quickly for drivers not familiar with the location while travelling at 80 mph. A 65-mph speed limit would give eastbound drivers more time to see the exit 402 off-ramp, make a decision, and safely perform their exit maneuver.

In the approximately three-and-a-half years since the new exit 402 interchange and Veterans Parkway was constructed, there have been 60 reported crashes in the 80-mph zone between I-229 and exit 402. Of these crashes, five were a result of merging maneuvers and four were a result of high speeds, which suggests a speed limit reduction could enhance safety. Of the remaining crashes, 27 were wild animal hits, 18 were weather-related, 3 were related to temporary work zones, and 3 were due to mechanical failures.

The speed limit changes were initially requested by the South Dakota DOT Sioux Falls Area Office. The Mitchell Region Traffic Engineer concurs with the South Dakota DOT Sioux Falls Area Office's request.

Captain Robert Whisler of District Two of the South Dakota Highway Patrol concurs with the request.

SPEED STUDY:

A speed study was conducted on May 30, 2023 between the I-229 interchange and Exit 402. The 85th percentile speed for westbound traffic was 77 mph, and eastbound traffic had an 85th percentile of 76 mph.

Speed Study Results:

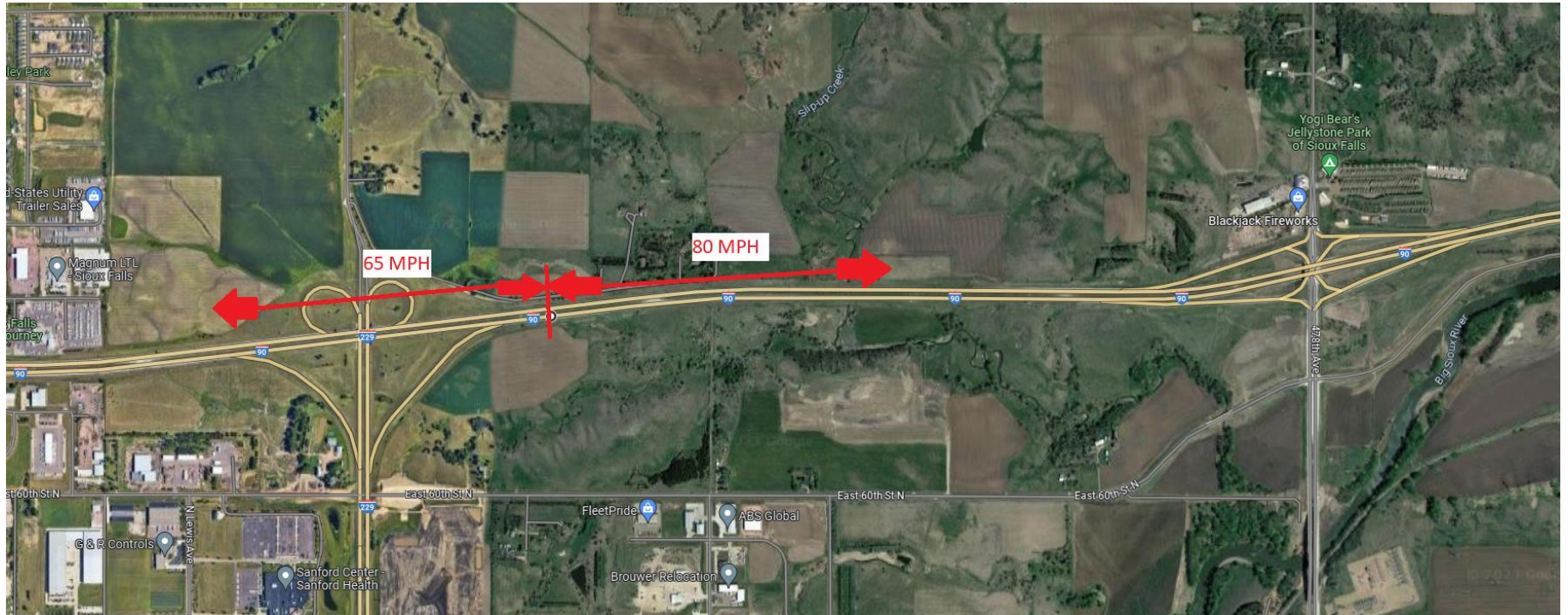
Eastbound:

Number of Vehicles Checked:	100
Average Speed (mph):	72
Percent Exceeding Speed Limit:	10
Percent Exceeding Speed Limit By More Than 5 mph:	3
Percent Exceeding Speed Limit By More Than 10 mph:	0
85 th Percentile Speed (mph):	76
Ten Mile Pace (mph):	70 to 80
Percent Within the Pace:	54
Median Speed (mph):	69
Fastest Speed Recorded (mph):	86
Slowest Speed Recorded (mph):	59

Westbound:

Number of Vehicles Checked:	100
Average Speed (mph):	71
Percent Exceeding Speed Limit:	5
Percent Exceeding Speed Limit By More Than 5 mph:	0
Percent Exceeding Speed Limit By More Than 10 mph:	0
85 th Percentile Speed (mph):	77
Ten Mile Pace (mph):	70 to 80
Percent Within the Pace:	48
Median Speed (mph):	70
Fastest Speed Recorded (mph):	83
Slowest Speed Recorded (mph):	58

EXISTING:



PROPOSED:





Department of Transportation

Rapid City Office

2300 Eglin St.

Rapid City, South Dakota 57702

PHONE: 605/394-2244

FAX: 605/394-1904

DATE: April 12, 2023

TO: Jon Suomala
Operations Traffic Engineer

FROM: Steve Kamarainen
Rapid City Region Traffic Engineer

SUBJECT: Proposed Speed Limit Administrative Rule Change
70:01:02:27

Attached for the Transportation Commission's consideration is a speed limit administrative rule change in Fall River County.

PROPOSED AMENDMENT:

70:01:02:27. Fall River County. The following are the maximum speeds on certain highways in Fall River County:

(6) U.S. Highway 385 beginning at the junction with U.S. Highway 18 ~~at the east end of in~~ Hot Springs, ~~then northerly for 0.32 miles, 35 miles per hour;~~ then northerly for 2.13 ~~1.81~~ miles, 25 miles per hour; then northerly for 0.47 mile, 35 miles per hour; then northerly for 0.19 mile, 45 miles per hour;

COST

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

This work will be done with the current reconstruction project at contract prices.

Removal and replacement of signs 2 @ \$265ea

TOTAL: \$ 530.00

EXPLANATION OF THE PROPOSAL:



The proposal is adjusting the location of a 25/35 mph speed limit change by 0.28 miles to coincide with the intersection of US 18 and US 385 at the east end of Hot Springs. The ongoing construction project along Hwy 385 included a change in the lane configuration through this section and added a new access point to Hot Spring's Freedom Trail shared use path. A reduction in speed to 25mph is consistent with expected changes in driver behavior due to a reduction in lanes and the likelihood of increased pedestrian and bicycle traffic.

The change was requested by the City of Hot Springs with support from local law enforcement and is supported by the Rapid City DOT traffic office.

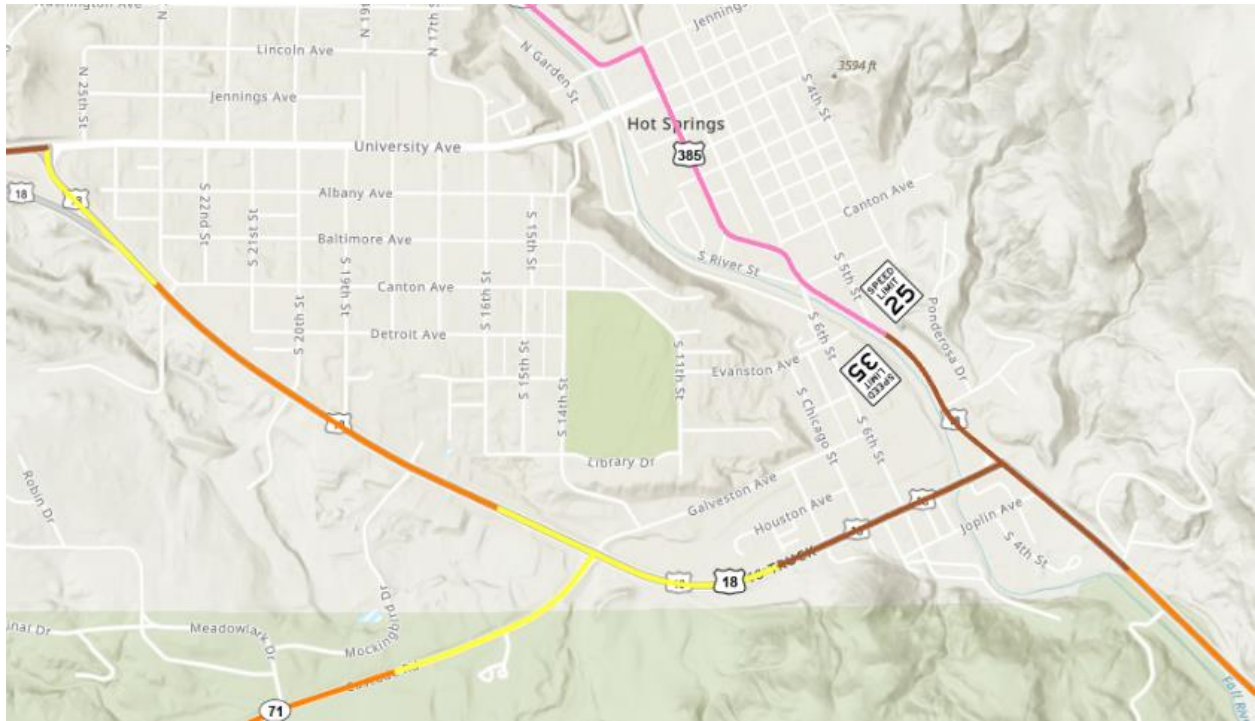
Lt. Bader with the South Dakota Highway Patrol confirmed support for the change.

SPEED STUDY:

A current speed study was not conducted due to ongoing construction in this area.

KEY: 25mph 
35mph 

EXISTING



PROPOSED

