



South Dakota Department of Transportation

Office of Legal Counsel

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MEMORANDUM

TO: Joel Jundt

FROM: Karla L. Engle

DATE: March 16, 2022

RE: March 24, 2022 Commission Meeting

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

- 70:01:02:26 – Edmunds 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 statewide traffic engineer, explaining the purpose and effect of the proposed speed zone changes in Edmunds County.

Any written comments that are timely received will be provided to the commission at the meeting on March 24, 2022.

Thank you.

KLE
Enclosures

70:01:02:26. Edmunds County. The following are the maximum speeds on certain highways in Edmunds County:

(1) ~~Repealed;~~

~~(2)~~ U.S. Highway 12 beginning 0.6 mile west of the junction of U.S. Highway 12 and State Trunk Highway 45, then east for 0.15 mile, 45 miles per hour; then east for ~~0.75~~ 0.9 mile, 30 miles per hour; then east for ~~0.35~~ 0.2 mile, 45 miles per hour;

~~(3)~~(2) U.S. Highway 12 beginning 0.7 mile east of the northeast corner of section 25, township 123 north, range 71 west of the fifth principal meridian, then west for 0.5 mile, 50 miles per hour; then west for 0.4 mile, 30 miles per hour; then west for 0.2 mile, 50 miles per hour;

~~(4)~~(3) State Trunk Highway 45 in Ipswich beginning at the junction of U.S. Highway 12 and State Trunk Highway 45, then south from the junction 0.64 mile, 30 miles per hour; then south for 0.22 mile, 40 miles per hour;

~~(5)~~(4) State Trunk Highway 247 in Roscoe beginning at the junction of U.S. Highway 12 and State Trunk Highway 247, then north 0.48 mile, 25 miles per hour; then north 0.2 mile, 45 miles per hour; then north to the McPherson-Edmunds county line, 55 miles per hour;

~~(6)~~(5) U.S. Highway 12 through Bowdle beginning 0.4 mile west of the beginning of the divided section, then east for 2.17 miles, 55 miles per hour;

~~(7)~~(6) State Trunk Highway 134 beginning at the Edmunds-Brown county line, then west 0.19 mile, 55 miles per hour; then west 0.83 mile, 50 miles per hour; then west and south to the junction of U.S. Highway 12, 55 miles per hour;

~~(8)(7)~~ State Trunk Highway 253 beginning 8.99 miles north of the junction with U.S Highway 12, then west 0.24 mile, 45 miles per hour; then west 0.68 mile through Hosmer, 25 miles per hour; then west 0.2 mile, 45 miles per hour.

Source: SL 1975, ch 16, § 1; 8 SDR 2, effective July 19, 1981; 8 SDR 89, effective January 24, 1982; 11 SDR 73, effective November 29, 1984; 13 SDR 129, 13 SDR 134, effective July 1, 1987; 14 SDR 176, effective July 3, 1988; 22 SDR 165, effective June 2, 1996; 23 SDR 132, effective February 27, 1997; 34 SDR 279, effective May 8, 2008; 42 SDR 109, effective February 8, 2016.

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 **February 16, 2022**
- Date of public hearing **March 24, 2022**
- Date proposed rules and supporting documents submitted to the LRC and the Bureau of Finance and Management **February 25, 2022**
 - 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 **March 1, 2022** Newspaper **Rapid City Journal**
 - Date **March 1, 2022** Newspaper **Aberdeen News**
 - Date **March 2, 2022** Newspaper **Ipswich Tribune**
 - Date **March 2, 2022** Newspaper **Pierre Capital Journal**
- Summary of how, when, and number of interested persons, if any, were contacted.

On February 25, 2022, copies of the hearing notice and proposed rules were mailed to the individuals or entities who have requested mail notification of rule-making by the commission. On the same date, electronic copies of the hearing notice and proposed rules were sent to the individuals who have requested electronic notification of rule-making. Also on February 25, 2022, copies of the hearing notice and proposed rules were mailed to the sheriff of Edmunds County the mayor and finance officer of Ipswich. 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

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