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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 requests that the Transportation Commission set a hearing date to consider amendments to the following administrative rules:

- 70:01:02:49 – Meade County speed zone rule;
- 70:01:02:62 – Union County speed zone rule; and
- 70:06:03:02 -- Audits.

I enclose a copy of the proposed rule revisions with this memo. Thank you.

KLE
Enclosure

70:01:02:49. Meade County. The following are the maximum speeds on certain highways in Meade County:

(1) State Trunk Highway 34 beginning 0.3 mile east of the southeast corner of section 8, township 7 north, range 13 east of the Black Hills meridian in Enning and ending 0.2 mile west of that corner, ~~45~~ forty-five miles per hour;

(2) State Trunk Highway 34 beginning at the northeast corner of section 21, township 7, range 12 east of the Black Hills meridian near Union Center, then west for 0.5 mile, ~~45~~ forty-five miles per hour;

(3) State Trunk Highway 34 beginning at its junction with Interstate Highway 90 on the west edge of Sturgis, then easterly to its intersection with Blanche Street, ~~35~~ thirty-five miles per hour; then easterly for 2.3 miles, ~~45~~ forty-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 from Blanche Street easterly for 3.8 miles, ~~35~~ thirty-five miles per hour;

(4) U.S. Highway 212 beginning 0.2 mile west of the junction of U.S. Highway 212 and State Trunk Highway 73 at the west edge of Faith, then east for 0.20 mile, ~~45~~ forty-five miles per hour; then east for 0.20 mile, ~~35~~ thirty-five miles per hour; then east for 0.31 mile, ~~25~~ twenty-five miles per hour; then east for 0.12 mile, ~~35~~ thirty-five miles per hour; then east for 0.15 mile, ~~45~~ forty-five miles per hour;

(5) Interstate Highway 90 service road ~~(, also known as~~ Black Hawk Road~~)~~, on the west side of Interstate Highway 90 beginning at the junction with Interstate Highway 90 Maintenance Route 231 located 0.25 mile north of the Pennington-Meade county line, then north to the junction with Peaceful Pines Road, ~~35~~ thirty-five miles per hour;

Highway 73 and U.S. Highway 212 at the west edge of Faith, then north for 0.27 mile, ~~45~~ forty-five miles per hour; then north for 0.22 mile, ~~35~~ thirty-five miles per hour;

(7) Interstate Highway 90, eastbound lane off-ramp into the Tilford Port of Entry, beginning 600 feet north of the scale and ending 600 feet south of the scale, ~~20~~ twenty miles per hour;

(8) U.S. Highway 14A beginning at the junction with Interstate Highway 90 in Sturgis, then west for 0.4 mile, ~~35~~ thirty-five miles per hour; then west for 3.64 miles, ~~45~~ forty-five miles per hour;

(9) The crossroad over Interstate Highway 90 at Exit 37 ~~4~~, also known as Meade County Road 8 ~~2~~, beginning 0.1 mile southwesterly of the centerline of Interstate Highway 90, then northeasterly 0.25 mile, ~~25~~ twenty-five miles per hour;

(10) The crossroad over Interstate Highway 90 at Exit 46 ~~4~~, also known as Meade County Road 4 ~~2~~, beginning at the intersection with the service road 0.08 mile west of the centerline of Interstate Highway 90, then east 0.16 mile, ~~15~~ fifteen miles per hour;

(11) State Highway Maintenance Route 231 beginning at the north Pennington County line, then north 1.05 mile to Peaceful Pines Road, ~~55~~ fifty-five miles per hour, then east 0.6 mile to Norman Avenue, ~~45~~ forty-five miles per hour;

(12) Interstate Highway 90 Service Road on the west side of Interstate Highway 90 beginning at Exit 40, then southeasterly to Exit 44, ~~45~~ forty-five miles per hour;

(13) Each year from the Thursday preceding the first Friday in August through the second Sunday after the first Friday in August State Trunk Highway 79 beginning at the junction of State Trunk Highway 34 east of Sturgis, then north for ~~1.75~~ 1.90 miles, ~~45~~ forty-five miles per hour, then beginning 0.05 mile south of the intersection with Bighorn Road, then north for 0.8 mile, ~~45~~ forty-five miles per hour;

(14) Interstate Highway 90 service road ~~(, also known as Sturgis Road)~~, on the west side of Interstate Highway 90 beginning at Peaceful Pines Road, then north 0.62 mile, ~~55~~ fifty-five miles per hour; then north 5.2 miles to the crossroad over Interstate Highway 90 at Exit 46, ~~45~~ forty-five miles per hour; then northwest to the junction with the Exit 44 crossroad, ~~35~~ thirty-five miles per hour;

(15) Interstate Highway 90 frontage road ~~(, also known as Captain Soelzer Street)~~, on the west side of Sturgis Road beginning at Peaceful Pines Road, then north 0.40 mile, ~~35~~ thirty-five miles per hour; then north 0.56 mile, ~~45~~ forty-five miles per hour.

Source: SL 1975, ch 16, § 1; 7 SDR 25, effective September 22, 1980; 9 SDR 35, effective September 19, 1982; 9 SDR 76, effective December 23, 1982; 9 SDR 132, effective April 24, 1983; 10 SDR 93, effective March 5, 1984; 11 SDR 62, effective November 4, 1984; 11 SDR 112, effective February 25, 1985; 12 SDR 44, effective September 23, 1985; subdivision (10) transferred from subdivision 70:01:02:09(3), 13 SDR 129, 13 SDR 134, effective July 1, 1987; 15 SDR 142, effective March 26, 1989; 16 SDR 169, effective April 25, 1990; 17 SDR 127, effective March 3, 1991; 18 SDR 107, effective December 29, 1991; 22 SDR 165, effective June 2, 1996; 28 SDR 181, effective July 4, 2002; 31 SDR 26, effective September 6, 2004; 35 SDR 61, effective September 22, 2008; 36 SDR 44, effective September 30, 2009; 40 SDR 58, effective October 9, 2013; 41 SDR 217, effective June 29, 2015; 42 SDR 174, effective June 23, 2016; 44 SDR 17, effective August 8, 2017; 44 SDR 184, effective June 25, 2018; 46 SDR 146, effective June 30, 2020.

General Authority: SDCL 32-25-7.

Law Implemented: SDCL 32-25-7.

70:01:02:62. Union County. The following are the maximum speeds on certain highways in Union County:

(1) ~~State Trunk Highway 48 beginning 0.2 mile west of the intersection with Union County Highway 21, then east 0.5 mile through Spink, 45 miles per hour;~~

~~(2)~~ Interstate Highway 29 Business Loop beginning 0.1 mile south of the centerline of Interstate Highway 29 at Exit 15, then northwesterly for 1.28 miles, ~~35~~ thirty-five miles per hour; then northwesterly through Elk Point for 0.94 mile, ~~25~~ twenty-five miles per hour; then northwesterly for 0.61 mile, ~~35~~ thirty-five miles per hour;

(~~32~~) State Trunk Highway 11 beginning 0.2 mile north of the intersection with Union County Highway 13, then north 0.3 mile, ~~45~~ forty-five miles per hour; then north 0.6 mile, ~~30~~ thirty miles per hour; then north 0.3 mile, ~~45~~ forty-five miles per hour;

(~~43~~) ~~Repealed;~~

~~(5) Repealed;~~

~~(6)~~ The Elk Point Port of Entry by-pass beginning 0.36 mile north of the beginning of the main by-pass at northbound Interstate 29 mile post 12.67, then northwesterly for 0.70 mile, ~~35~~ thirty-five miles per hour; the Elk Point Port of Entry scale road beginning 0.71 mile north of the beginning of the main by-pass at northbound Interstate 29 mile post 12.67, then northwesterly for 0.35 mile, ~~20~~ twenty miles per hour;

(~~74~~) ~~Repealed;~~

~~(8)~~ The crossroad over Interstate Highway 29 at Exit 38 beginning at a point 0.2 mile west of the centerline of Interstate Highway 29, then east 0.4 mile, ~~30~~ thirty miles per hour;

(~~95~~) State Trunk Highway 11 beginning at its intersection with Franklin Street in Elk Point, then northwesterly 0.06 mile, ~~25~~ twenty-five miles per hour; then northwesterly and north 0.38 mile, ~~40~~ forty miles per hour;

(~~106~~) State Trunk Highway 50 beginning at the Clay County line, then east to a point 0.6 mile west of the centerline of Interstate 29, ~~70~~ seventy miles per hour; then east for 0.2 mile, ~~60~~ sixty miles per hour; then east-southeasterly for 0.96 mile, ~~45~~ forty-five miles per hour;

(~~117~~) State Trunk Highway 105 beginning at a point 0.06 mile west of the west ramps of Interstate 29 at Exit 2, then east and northwesterly 1.99 miles through North Sioux City, ~~30~~ thirty miles per hour; then northwesterly for 0.3 mile, ~~45~~ forty-five miles per hour; then northwesterly 5.09 miles, ~~55~~ fifty-five miles per hour; then northwesterly for 0.2 mile, ~~45~~ forty-five miles per hour; then northwesterly for 0.8 mile through Jefferson, ~~25~~ twenty-five miles per hour; then west for 0.14 mile to the west ramps of Interstate Highway 29 at Exit 9, ~~45~~ forty-five miles per hour.

Source: SL 1975, ch 16, § 1; 2 SDR 71, effective May 1, 1976; 2 SDR 86, effective June 24, 1976; 3 SDR 10, effective August 11, 1976; 4 SDR 26, effective October 31, 1977; 5 SDR 91, effective April 29, 1979; 7 SDR 89, effective March 30, 1981; 8 SDR 89, effective January 24, 1982; 9 SDR 132, effective April 24, 1983; 13 SDR 52, effective November 6, 1986; 13 SDR 129, 13 SDR 134, effective July 1, 1987; 15 SDR 158, effective April 26, 1989; 17 SDR 12, effective July 30, 1990; 17 SDR 127, effective March 3, 1991; 20 SDR 96, effective December 29, 1993; 22 SDR 165, effective June 2, 1996; 28 SDR 24, effective August 29, 2001; 31 SDR 165, effective May 11, 2005; 32 SDR 53, effective October 10, 2005; 37 SDR 18, effective August 16, 2010.

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

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

70:06:03:02. Audits. State matching fund grantees shall meet all auditing requirements related to their primary federal transit grants. State matching fund grantees shall transmit to the department a copy of all audits performed by an independent certified public accountant for that grantee for any time periods covered by state matching fund grants. State matching fund grantees shall permit auditors of the department to obtain and review all expenditure records related to state matching grants.

Source: 19 SDR 155, effective April 11, 1993.

General Authority: SDCL 1-44-7.3.

Law Implemented: SDCL ~~1-44-7.2~~, 1-44-7.3.