

**From:** linda scarmon <[lscarmon@yahoo.com](mailto:lscarmon@yahoo.com)>

**Sent:** Thursday, August 17, 2023 2:42 PM

**To:** Jundt, Joel <[Joel.Jundt@state.sd.us](mailto:Joel.Jundt@state.sd.us)>

**Subject:** [EXT] Proposed rule 70:01:02:62

To: South Dakota Department of Transportation

From: Linda Scarmon, 47360 SD Highway 48, Elk Point, SD 57025

[605] 952-0014

RE: 70:01:02:62 Union County Speed Zone rule

I am commenting in opposition to the proposed change of speed limit through Spink. Please refer to my husband's comment, which I totally agree with. We are in our seventies and have lived near Spink for fifty years. The corner has decayed lately, but is in the process of rejuvenation, with people moving in. We would like to see the repopulation of the Spink corner, which has been the center of our lives. We care for the house on the northeast corner of Spink, and our son and his family stay in the house when they come for holidays and visits.

The traffic through the intersection is very heavy for a rural intersection. There are two agribusiness plants, one a quarter of a mile west and another two and a half miles west. In addition to trucks from Heyl Trucking and L.G.Everist gravel in Akron, Hyvee has a distribution center in Cherokee, Iowa which sends many trucks to link up with the interstate. The thought of none of these slowing down through Spink is truly terrifying.

We are concerned with the safety of our neighbors, our family and ourselves if this change is approved. I can't think of a reason that the change would make life better for anyone. Please decline the request for a change.

**From:** Craig Aaker <[craigaaker@hotmail.com](mailto:craigaaker@hotmail.com)>  
**Sent:** Monday, August 21, 2023 1:41 AM  
**To:** Jundt, Joel <[Joel.Jundt@state.sd.us](mailto:Joel.Jundt@state.sd.us)>  
**Subject:** [EXT] Reduced speed on S.D. Hwy 48 - Spink

To the South Dakota Transportation Commission,

We in Spink are greatly concerned of the reduced safety on Hwy 48 in Spink which would be a certain result if the Commission's consideration

of eliminating the reduced speed zone on State Hwy 48 in and around Spink was enacted.

The existence of this reduced speed zone either slows trucks, cars and motorcycles to varying degrees or at least signals that a beneficial increased level of attention to what is happening is needed as they drive through Spink. While Spink is small and only takes approx 20 seconds to pass through it, the increased attention caused by the speed zone signs does make it significantly safer for the residents of Spink. The presence of the signs is of very little inconvenience even to those who do abide (to varying degrees) by the reduced speed limit.

Therefore, why not just keep the signs?

Thanks for your consideration of my concerns,

Craig Aaker

47302 S.D. Hwy 48 (Spink center)

Elk Point, South Dakota 57025

**From:** Yahoo Mail <[nomracs@yahoo.com](mailto:nomracs@yahoo.com)>  
**Sent:** Thursday, August 17, 2023 2:39 PM  
**To:** Jundt, Joel <[Joel.Jundt@state.sd.us](mailto:Joel.Jundt@state.sd.us)>  
**Subject:** [EXT] 70:01:02:62 Proposed Union County speed zone rule

To: South Dakota Department of Transportation:

From: Mick Scarmon, 47360 SD Highway 48, Elk Point, SD 57025

[605] 952-0014

RE: 70:01:02:62 Union County Speed Zone rule

I am commenting in opposition to the proposed change of speed limit through Spink. I have resided one-half mile from Spink on Highway 48 for the past fifty years. For the last twenty years my wife and I have overseen a house in Spink for our friends and neighbors, the family of Lincoln and Myrtle Twedt. During that time we have witnessed many close calls on the highway, even with the current lower speed limit, which many already disregard. The intersection is the main crossroad in Spink Township, with a paved highway to the South and a busy gravel to the north. It is not an isolated country road.

The highway carries heavy truck traffic, being a link of major trucking from firms in northwest Iowa to the Interstate. Its truly scary when trucks don't slow down coming through Spink. We have trouble crossing the road to get our mail even though the reduced speed ends about an eighth of a mile away. Lately there has been an effort to clean up the Spink corner after the old café burned and was left abandoned. The Twedt grandchildren have invested heavily in their home on the corner of the intersection. Our neighbor Mary Erickson, who lives across the highway has many grandchildren and greatgrandchildren who visit often. The other home in Spink has a number of young children and a new house is being moved in on south side of the intersection.

We would like to see more enforcement of the current speed limit rather than an granting an open season on residents living along this stretch. Please consider public safety first in your consideration of this change for whatever reason it has been proposed. Thank you.

**From:** Leah Klarmann <[leahklarmann@gmail.com](mailto:leahklarmann@gmail.com)>  
**Date:** August 19, 2023 at 9:22:31 AM MDT  
**To:** "Jundt, Joel" <[Joel.Jundt@state.sd.us](mailto:Joel.Jundt@state.sd.us)>  
**Subject:** [EXT] Maintaining 45 mph In and Around Spink

Please do NOT raise speed limit in and around Spink. There are families with elderly parents, children, grandchildren, family pets living in this area. Expensive agriculture equipment is used in and around there. Trucks with high-priced farm animals and cargo travel through here as well. It is dangerous enough getting the mail every day, driving vehicles out of the driveways. Soon new construction will begin close by across from old Spink Cafe. The speed limit needs to remain at 45 mph. It would be wonderful to see all of Hwy 48 at 55mph as in Hwy 12 through Akron, IA and into Sioux City, IA.

to who it may concern  
spink needs to keep the 45 mile  
speed ~~gone~~ in force because we  
have a busy highway anyway and  
Im concerned about our town we have  
3 different school buses running thru  
here and for the safety of them and  
also who lives in the houses in  
spink so as I know been in  
spink for 55 years and have yet  
to see any troopers trying to slow  
people down — seems like  
nobody cares about safety anymore just  
speed —

Mary Erickson

**From:** Jerry Miller <[Jerry.Miller@unioncountysd.org](mailto:Jerry.Miller@unioncountysd.org)>

**Sent:** Thursday, April 13, 2023 11:23 AM

**To:** Rothschadl, Greg <[Greg.Rothschadl@state.sd.us](mailto:Greg.Rothschadl@state.sd.us)>; Pinkley, Corey <[Corey.Pinkley@state.sd.us](mailto:Corey.Pinkley@state.sd.us)>

**Cc:** Weisz, Steven <[Steven.Weisz@state.sd.us](mailto:Steven.Weisz@state.sd.us)>; Dressen, Travis <[Travis.Dressen@state.sd.us](mailto:Travis.Dressen@state.sd.us)>

**Subject:** RE: [EXT] Highway 48 speed limit through Spink

To All:

Greg got the basic facts correct. In addition to 'The Spink Café' no longer being operated in Spink, the other business, which was a mechanical shop closed years before the fire in Spink. The town of Spink is unincorporated. I think there are only 3 to 4 houses clustered in this area that are occupied. Since the Spink Café fire, the typical traffic that supported the Café ended as well. There were times when the Café was operating that there would be cars and pickups parked all over Spink and along Hwy 48. While I don't know the specific criteria, I would be surprised if a traffic study would support the rationale for the speed reduction in that area with today's facts.

I reached out to Greg, and he agreed that this is a valid discussion that should be looked at. While I live a few miles from this location myself, Greg mentioned that recently, the State removed the word Spink from the Interstate signs. I drive this every day, and to tell the truth, I never noticed that Spink had been removed from the interstate information / direction signs.

Please let me know if you have any question of me. I would like to know if there is anything else that I would need to have this looked at as well as the outcome / decision. Thank you.

Respectfully yours,

Jerry A. Miller

Jerry A. Miller

Union County State's Attorney

209 E. Main St. ~ Suite 140

Elk Point, SD 57025

---

**Phone** (: 1 (605) 356-2666

**Fax** 7: 1 (605) 761-0199

**E-mail** \*: [Jerry.Miller@unioncountysd.org](mailto:Jerry.Miller@unioncountysd.org)

---

**From:** Rothschadl, Greg <[Greg.Rothschadl@state.sd.us](mailto:Greg.Rothschadl@state.sd.us)>

**Sent:** Thursday, April 13, 2023 11:04 AM

**To:** Jerry Miller <[Jerry.Miller@unioncountysd.org](mailto:Jerry.Miller@unioncountysd.org)>; Pinkley, Corey <[Corey.Pinkley@state.sd.us](mailto:Corey.Pinkley@state.sd.us)>

**Cc:** Weisz, Steven <[Steven.Weisz@state.sd.us](mailto:Steven.Weisz@state.sd.us)>; Dressen, Travis <[Travis.Dressen@state.sd.us](mailto:Travis.Dressen@state.sd.us)>

**Subject:** Highway 48 speed limit through Spink

Corey,

I got a call from Jerry Miller, Union County States Attorney, inquiring about the speed limit through Spink on Highway 48. Currently the speed is reduced from 65mph to 45mph at each end of Spink. The approximate distance of the reduction is about ½ mile.

In the past there was a Café on the southeast corner, but that building had a fire a couple years ago and the business has been relocated to Elk Point. Nothing has been in the building since the fire. Otherwise, there are a few houses left and nothing else.

Jerry is wondering if the speed reduction is still needed through there and would like to at least have the discussion about having the speed reduction removed.

Thoughts on this?

I included him in this email and his office number is 605-356-2666.

Jerry, Anything to add from what I stated above?

Thanks all.

Greg

**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 ~~(, commonly 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;



(6) State Trunk Highway 73 beginning 0.49 mile south of the junction of State Trunk 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~~ six hundred feet north of the scale and ending ~~600~~ six hundred 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~~, commonly 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~~, commonly 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 ~~(, commonly 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 ~~(, commonly 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;

~~(3)~~(2) 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;

~~(4) Repealed;~~

~~—(5)— Repealed;~~

~~—(6)~~(3) 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;

~~(7) Repealed;~~

~~—(8)~~(4) 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;

~~(9)(5)~~ 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;

~~(10)(6)~~ 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;

~~(11)(7)~~ 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~~ Each state matching fund ~~grantees~~ grantee shall meet all auditing requirements related to their primary federal transit grants. ~~State~~ Each state matching fund ~~grantees~~ grantee shall transmit to the department a copy of all audits performed by an independent certified public accountant for that grantee for ~~any each~~ time ~~periods~~ period covered by state matching fund grants. ~~State~~ Each state matching fund grantee 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.