

State of South Dakota

SEVENTY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 1997

843A0704

SENATE BILL NO. 183

Introduced by: Senators Rounds, Benson, and Johnson (William) and Representatives de Hueck and Gabriel

1 FOR AN ACT ENTITLED, An Act to permit a county to designate minimum maintenance
2 roads.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That chapter 31-12 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 The board of county commissioners may designate any road on the county highway system
7 as a minimum maintenance road if the board determines that the road or a segment of the road
8 is used only occasionally or intermittently for passenger and commercial travel. The board shall
9 identify the beginning and end points of the road designated as minimum maintenance. A
10 minimum maintenance road may be maintained at a level less than the minimum standards for full
11 maintenance roads, but shall be maintained at the level required to serve the occasional or
12 intermittent traffic.

13 Section 2. That chapter 31-12 be amended by adding thereto a NEW SECTION to read as
14 follows:

15 The board of county commissioners shall post signs on a minimum maintenance road to

1 notify the motoring public that it is a minimum maintenance road and that the public travels on
2 the road at its own risk. The signs shall be posted at the entry points to and at regular intervals
3 along a minimum maintenance road. A properly posted sign shall be prima facie evidence that
4 adequate notice of a minimum maintenance road has been given to the motoring public.

5 Section 3. That § 31-12-2 be amended to read as follows:

6 31-12-2. ~~No~~ Except for minimum maintenance roads established pursuant to section 1 of this
7 Act, no county highway system ~~shall~~ may be changed, altered, or modified except by authority
8 of and in accordance with a written executive order of the Department of Transportation. Any
9 such change shall be shown on the map of the county highway system in the office of the county
10 auditor and on such map in the Department of Transportation.

11 Section 4. That § 31-12-19 be amended to read as follows:

12 31-12-19. ~~It shall be the duty of the~~ The board of county commissioners ~~to maintain~~ shall
13 properly and adequately maintain the full maintenance roads on the county highway system
14 within the county by contract or day labor on all or different portions of the ~~same~~ system as the
15 board of county commissioners ~~may deem most expedient, and to.~~ The board shall maintain any
16 secondary federal-aid system highways according to any agreement made by it in consideration
17 of federal aid received for construction and improvement of such highways. The board shall, at
18 its first meeting each year, designate which county roads are full maintenance roads and which
19 are minimum maintenance roads. The board of county commissioners may not designate any
20 county road as minimum maintenance if such road is a school route or mail route.