

State of South Dakota

SEVENTY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 1997

400A0227

SENATE BILL NO. 58

Introduced by: The Committee on Transportation at the request of the Department of
Transportation

1 FOR AN ACT ENTITLED, An Act to authorize a fee to be charged for a permit allowing
2 utilities to use a highway right-of-way for longitudinal lines.

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

4 Section 1. That § 31-26-22 be amended to read as follows:

5 31-26-22. The Transportation Commission may adopt rules and the Department of
6 Transportation may issue permits to allow electrical lines, pipelines, communication lines, and
7 other utilities, including rural water service pipelines, whether above or below ground, to operate
8 the facilities over, under, or along public grounds, streets, alleys, and highways under its
9 jurisdiction in this state. The rules may authorize the collection of a reasonable fee or other
10 consideration for issuance of a permit allowing the operation of such facilities in an interstate
11 right-of-way. Any rule adopted under this section shall set forth application and issuance of
12 permit criteria and installation standards necessary to preserve a safe traffic environment, the
13 appearance of the highway, and the efficiency and economy of highway maintenance and shall
14 be adopted pursuant to chapter 1-26. Any funds collected for the issuance of permits shall be
15 deposited in the state highway fund.