

# State of South Dakota

EIGHTY-SECOND SESSION  
LEGISLATIVE ASSEMBLY, 2007

507N0130

## SENATE BILL NO. 5

Introduced by: Senator Kloucek and Representative Gassman

1 FOR AN ACT ENTITLED, An Act to revise the rule-making authority related to the mowing  
2 of ditches on the state trunk highway system.

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

4 Section 1. That § 31-5-21 be amended to read as follows:

5 31-5-21. The Transportation Commission may, by rules promulgated pursuant to chapter 1-  
6 26, authorize the mowing of ditches on the state trunk highway system. The rules shall establish  
7 when mowing may be done, by whom mowing may be done, how and where mowing may be  
8 done, and the time limit for removal of hay if mowing is done for hay production. However, the  
9 rules shall provide that the original owner or assigns of land abutting the ditches on the state  
10 trunk highway system shall be given priority for mowing. No rules may be promulgated that  
11 would prohibit the mowing of any ditch on the state trunk highway system after June fifteenth  
12 of each year.

