AN ACT

ENTITLED, An Act to revise the notice requirements for closure of a highway and to provide a civil penalty for failure to comply with a closure.

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

Section 1. That § 31-4-14.2 be amended to read as follows:

31-4-14.2. Notice to the public that a state trunk highway is closed or its use is restricted shall be given in one or more of the following forms:

(1) Erection of suitable barriers upon the highway to restrict or prohibit travel;

(2) Issue warning and notice of the condition of the highway for travel in generally available media outlets;

(3) Post signs for direction of traffic upon the highway relative to use or nonuse of the highway;

(4) Place warning devices on the highway; or

(5) Place flagmen to warn, detour, or direct traffic on the highway.

Section 2. That § 31-4-14.3 be amended to read as follows:

31-4-14.3. Any person who fails to observe any sign, marker, warning, notice or direction, or barrier placed or given under § 31-4-14.2 is guilty of a Class 2 misdemeanor. Any unauthorized presence on a closed highway is evidence of a violation of this section. If, as a result of a knowing violation of this section for failure to observe a notice provided pursuant to § 31-4-14.2, any agency of the State of South Dakota or any governmental subdivision incurs any costs for the purpose of rescuing the violator, any passengers, or the vehicle operated by the violator, the violator is subject to a civil action by the State of South Dakota in circuit court for the recovery of a civil penalty of up to one thousand dollars and the actual cost of any such rescue, in an amount not to exceed ten thousand dollars.

An Act to revise the notice requirements for closure of a highway and to provide a civil penalty for failure to comply with a closure.

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I certify that the attached Act originated in the

SENATE as Bill No. 62

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Secretary of the Senate

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President of the Senate

Attest:

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Secretary of the Senate

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Speaker of the House

Attest:

_____
Chief Clerk

Senate Bill No. 62
File No. ____
Chapter No. _____

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Received at this Executive Office this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor

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The attached Act is hereby approved this _____ day of _____ , A.D., 20___

_____
Governor

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STATE OF SOUTH DAKOTA,
ss.
Office of the Secretary of State

Filed _____ , 20___
at _____ o'clock __ M.

_____
Secretary of State

By _____
Asst. Secretary of State