



2022 South Dakota Legislature

House Bill 1205

Introduced by: **Representative** Deutsch

1 **An Act to revise the duty of governing boards regarding dangerous roadways.**

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

3 **Section 1. That § 31-32-10 be AMENDED:**

4 **31-32-10.** If the governing body receives notice, either actual or constructive,
5 that any part of a highway, culvert, or bridge is damaged by flood, fire or other cause, to
6 the extent that it endangers the safety of public travel, the governing body responsible
7 for the maintenance of such highway, culvert, or bridge, shall, within forty-eight hours of
8 receiving notice of such danger, erect guards over such defect or across such highway of
9 sufficient height, width, and strength to guard the public from accident or injury and shall
10 repair the damage or provide an alternative means of crossing within a reasonable time
11 after receiving notice of the danger. The governing body shall erect a similar guard across
12 any abandoned public highway, culvert, or bridge. Any officer who violates any of the
13 provisions of this section commits a petty offense.