AN ACT

ENTITLED, An Act to authorize township boards to designate certain roads as no maintenance roads.

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

Section 1. That § 31-13-1 be amended to read as follows:

31-13-1. The board of township supervisors shall construct, repair, and maintain all of the township roads within the township except for section lines designated as no maintenance section lines pursuant to § 31-13-1.4 and roads designated as no maintenance roads pursuant to section 2 of this Act. The township road system consists of section line roads; judicially declared roads; roads impliedly accepted by the township through routine performance of certain maintenance activities, such as grading, graveling and snow removal, and accepting funds from the county pursuant to §§ 32-11-4.1 and 32-11-6 for a period of at least fifteen years; and any other roads designated by resolution of the board as being on the township road system. A road may only be vacated through the process specified in chapter 31-3. Before a road may be added to the township road system, the road shall meet the minimum requirements specified in §§ 31-18-2 and 31-13-4, unless the board, by resolution, waives this requirement.

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

The board of township supervisors may designate a road that is unsafe for vehicle travel as a no maintenance road. The board shall identify the beginning and end point of the road designated as no maintenance. The board does not have any responsibility on a no maintenance road except to require removal or remediation of a manmade obstruction, if needed, to maintain the public access.

Section 3. That chapter 31-13 be amended by adding thereto a NEW SECTION to read as follows:

The board of township supervisors shall post signs on a no maintenance road to notify the motoring public that it is a no maintenance road and that no vehicle travel is advised. The signs shall be posted at each entry point and at regular intervals along a no maintenance road. A properly posted sign is prima facie evidence that adequate notice of a no maintenance road has been given to the motoring public.

An Act to authorize township boards to designate certain roads as no maintenance roads.

I certify that the attached Act originated in the

HOUSE as Bill No. 1122

_____
Chief Clerk

_____
Speaker of the House

Attest:

_____
Chief Clerk

_____
President of the Senate

Attest:

_____
Secretary of the Senate

House Bill No. 1122
File No. ____
Chapter No. _____

Received at this Executive Office this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor

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

_____
Governor

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