

AN ACT

ENTITLED, An Act to revise provisions regarding designation of a no maintenance highway.

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

Section 1. That § 31-12-48 be amended to read:

31-12-48. For any highway or segment of a highway the board of county commissioners determines, after public notice, is used less than is required for designation as a minimum maintenance highway under § 31-12-46, the board may designate the highway as a no maintenance highway. The board shall, by resolution, identify the beginning and end point of the highway or segment of a highway designated as no maintenance. The board does not have any responsibility or duty of care on a no maintenance highway designated under this section, except upon knowledge of a manmade obstruction, to require removal or remediation of the manmade obstruction if needed, to maintain public access.

Section 2. That § 31-12-50 be amended to read:

31-12-50. A no maintenance highway designated under § 31-12-48 is any highway that shall remain open to public access, but over which the board of county commissioners has no responsibility for maintenance or improvement, except as provided under § 31-12-48.

An Act to revise provisions regarding designation of a no maintenance highway.

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I certify that the attached Act
originated in the
HOUSE as Bill No. 1077

Chief Clerk
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Speaker of the House

Attest:

Chief Clerk

President of the Senate

Attest:

Secretary of the Senate

House Bill No. 1077
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