

# State of South Dakota

SEVENTY-SIXTH SESSION  
LEGISLATIVE ASSEMBLY, 2001

717E0140

## HOUSE ENGROSSED NO. **SB 144** - 02/27/2001

Introduced by: Senators Vitter and Putnam and Representatives Broderick, Bartling,  
Pederson (Gordon), Slaughter, and Van Gerpen

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding signs in any public  
2 right-of-way.

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

4 Section 1. That § 31-28-23 be amended to read as follows:

5 31-28-23. No person may, without lawful authority, attempt or actually alter, deface, injure,  
6 knock down, remove, or in any manner molest or interfere with any official highway marker,  
7 sign, guide board, traffic-control device, or any railroad sign or signal, barrier, warning device,  
8 or sign erected in connection with highway maintenance or construction activities. A violation  
9 of this section is a Class 1 misdemeanor. Any person who violates this section is responsible for  
10 the cost of repairing or replacing such markers, signs, signals, barriers, or devices.

11 Section 2. That § 31-28-22 be amended to read as follows:

12 31-28-22. Every sign, signal ~~or~~ marking, or device prohibited by §§ 31-28-19 and 31-28-20  
13 is hereby declared to be a public nuisance and the Department of Transportation ~~is hereby~~  
14 ~~empowered to~~ or local authorities within their respective jurisdiction may remove the same or  
15 cause it to be removed without notice.

1       Section 3. The Department of Game, Fish and Parks or its designee may mark or sign a state  
2 snowmobile trail within any public right-of-way or public land. The Department of Game, Fish  
3 and Parks may place signs within any public right-of-way providing directions to a state owned  
4 or managed public use area.

5       Section 4. That chapter 31-28 be amended by adding thereto a NEW SECTION to read as  
6 follows:

7       Nothing in this chapter may be deemed to limit or encroach upon the practice and activity  
8 of a professional licensed pursuant to chapter 36-18A, performing his or her professional duties.