

AN ACT

ENTITLED, An Act to modify the duration period and signing requirements for vehicle weight restrictions.

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

Section 1. That § 32-22-24 be amended to read as follows:

32-22-24. The maximum axle and axle group loadings as set forth in § 32-22-16 shall be reduced during the period of each year from February fifteenth to April thirtieth, inclusive. The proper highway authority, responsible for maintenance of the highways, shall set reduced load limits during this period and may increase, lessen, or remove these restrictions if highway conditions warrant. That authority may be exercised without formal resolution if the highway authority erects or causes to be erected and maintained signs designating the restrictions. If highway and climatic conditions warrant, the proper highway authority may extend the time period mentioned in this section by ordinance or resolution. Nothing in this requirement, however, removes or interferes with the proper highway authority imposing restrictions as set forth in §§ 32-14-6, 32-14-7, and 32-22-25. Moreover, during the time period mentioned in this section the transportation commission may, pursuant to § 32-22-42, allow the issuance of overweight permits to heavier vehicles to permit such vehicles to be operated on those highways which the commission designates as capable of handling heavier loads. A violation of this section is a Class 2 misdemeanor.

Section 2. That § 32-22-25 be amended to read as follows:

32-22-25. If, for any reason, the improved highways of this state are rendered incapable of bearing the customary traffic without undue damage, or if it is considered by the Department of Transportation, the board of county commissioners of any county, the board of supervisors of any township, or the board of trustees of any road district, that the improved highways or any section of them under their jurisdiction would be damaged or destroyed by heavy traffic by reason of thawing

or excessive moisture, or for any reason, the maximum weight of the vehicle and the load shall be reduced. Notice of any restriction under this section shall be given by placing at each end of that section of highway on which the allowable weight limit is reduced and at points of intersection, as deemed necessary by the proper highway authority, signs of substantial construction which conspicuously indicate the limitations of the gross weight of the vehicle. Exceeding such weight limits is a Class 2 misdemeanor.

Section 3. That § 32-14-6 be amended to read as follows:

32-14-6. Local authorities, including road districts, may by ordinance or resolution prohibit the operation of vehicles upon any highway or impose restrictions as to the weight of vehicles allowed. Such prohibitions or restrictions apply only to vehicles to be operated upon any highway under the jurisdiction of and for the maintenance of which such local authorities are responsible and only if the highway by reason of physical condition, rain, snow, or other climatic conditions will be seriously damaged or destroyed unless the use of vehicles on the highway is prohibited or the permissible weights of the vehicles are reduced. Any local authority enacting any such ordinance or resolution shall erect and maintain or cause to be erected and maintained signs designating the provisions of the ordinance or resolution at each end of that portion of any highway affected by the ordinance or resolution. The ordinance or resolution is not valid unless such signs are erected and maintained.

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I certify that the attached Act  
originated in the

HOUSE as Bill No. 1172

\_\_\_\_\_  
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. 1172

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