

SOUTH DAKOTA DEPARTMENT OF TRANSPORTATION
SOUTH DAKOTA TRANSPORTATION COMMISSION
NOTICE OF PUBLIC HEARING

Pursuant to the authority vested in the South Dakota Transportation Commission by SDCL 1-26, the South Dakota Transportation Commission will hold a public hearing in the Commission Room at the Becker-Hansen Building, 700 East Broadway Avenue, Pierre, South Dakota, on **September 26, 2016**, at **9:30 a.m.** (Central Standard Time) to consider the proposed amendment to the following rules:

70:01:02:05(5) – The speed limit in Codington County on U.S. Highway 81 beginning 1.13 miles south of the junction of U.S. Highway 212 and U.S. Highway 81, then north for 0.7 mile is being reduced from 50 miles per hour to 35 miles per hour. This speed zone change is proposed by officials of the City of Watertown to reduce accidents and enhance safety along this stretch of highway, particularly at the intersection of U.S. Highway 81 and 20th Avenue SE/173rd Street.

70:01:02:21(1) – In Custer County, the 35 mile per hour speed limit on State Trunk Highway 36 beginning at the junction of U.S. Highway 16A near the east gate of Custer State Park, then northeasterly for 0.5 mile is being extended an additional 0.2 mile. This rule change will align with the current signing of the highway, which properly addresses safe operations.

70:01:02:21(10) – The speed limit on U.S. Highway 385 and State Trunk Highway 89 beginning at the junction with U.S. Highway 16 in Custer, then south for 0.2 mile is being reduced from 45 miles per hour to 35 miles per hour. This rule change is based on a speed study indicating a 35 mile per hour speed zone would be appropriate on this stretch of highway.

70:01:02:21(12) – This rule established a 45 mile per hour speed limit on U.S. Highway 385 and State Highway 89 beginning 0.3 mile south of the junction of U.S. Highway 385, State Highway 89, and U.S. Highway 16 in Custer, then north for 0.3 mile to that junction. This rule is being repealed to eliminate redundancy, because the speed zone for this stretch of highway is established in 70:01:02:21(10).

70:01:02:21(13) – The speed limit on U.S. Highway 16 and U.S. Highway 385 beginning at the junction of U.S. Highway 16 and 385 in the west part of the city of Custer, then easterly to the intersection of Third Street is being reduced from 35 miles per hour to 25 miles per hour. This rule change is based on a speed study indicating a 25 mile per hour speed zone would be appropriate for this stretch of highway.

70:11:02:03 – This rule is being amended to require the owner of a newspaper vending device at an interstate rest area to display a clear and visible notice on the device that identifies the name, mailing address, and telephone number of the person responsible for refunds and for the day-to-day operation and maintenance of the device. The rule is also being amended to require that the device display a clearly visible statement that rest area personnel are not responsible for refunds. These changes are being made to ensure that travelers have up-to-date information about whom to contact regarding refunds and device malfunctions.

Persons interested in presenting data, opinions, and arguments for or against the proposed rules may do so by appearing in person at the hearing or by sending them to the South Dakota Department of Transportation, 700 East Broadway Avenue, Pierre, South Dakota 57501-2586. Material sent by mail must reach the Department of Transportation by **September 23, 2016**, to be considered.

After the hearing, the commission will consider all written and oral comments it receives on the proposed rules. The Commission may modify or amend a proposed rule at that time to include or exclude matters that are described in this notice.

Notice is further given to individuals with disabilities that this hearing is being held in a physically accessible place. Any individuals with disabilities who will require a reasonable accommodation in order to participate in the hearing should submit a request to the department's ADA Coordinator at 605-773-3540 or 1-800-877-1113 (Telecommunication Device for the Deaf).

A copy of the proposed rule may be obtained without charge from:

Secretary of Transportation
Becker-Hansen Building
700 East Broadway Avenue
Pierre, South Dakota 57501-2586

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