

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 South Dakota Codified Law chapter 1-26, the commission will hold a public hearing in the Commission Room of the Becker Hansen Building at 700 East Broadway Avenue in Pierre, South Dakota, on Thursday, **October 26, 2017**, at 9:00 a.m. (Central Time) to consider proposed changes to the following rules:

Chapter 70:01:02 – Speed Limits. Changes are being made to the speed limit rules for State Trunk Highway 38 in Minnehaha County, State Trunk Highway 44 in Pennington County, U.S. Highway 281 in Brown County, U.S. Highway 85 in Lawrence County, Interstate Highway 90 Business Loop in Brule County, State Trunk Highway 46 in Charles Mix County, U.S. Highway 12 in Day County, State Trunk Highway 22 in Deuel County, U.S. Highway 18 in Fall River County, U.S. Highway 14 in Hand County, State Trunk Highway 25 in Kingsbury County, State Trunk Highway 25 in Marshall County, State Trunk Highway 20 in Perkins County, State Trunk Highway 19 in Turner County, and U.S. Highway 18 and State Trunk Highway 407 in Oglala Lakota County. The purpose and effect of these changes is to revise the speed limits set out in the rules to match the speed limit signs in place along these highways. **70:01:02:11 – Bennett County speed zone.** A 45 miles per hour (mph) limited speed zone is being added on State Trunk Highway 73 immediately south of the 35 mph speed zone in Martin. This new 45 mph speed zone will extend for 0.45 mile. This speed zone is being created to provide a transition from the 35 mph speed zone in Martin to the 65 mph speed zone outside of Martin. This change is also being made to safely accommodate turning traffic on a highway segment with frequent turning movements. **70:01:02:15 – Butte County speed zone.** The 25 mph speed zone is being extended on U.S. Highway 85 to include the stretch of highway between Indian Street and Lawrence Street in Belle Fourche. The speed limit is also changing to 35 miles per hour on U.S. Highway 85 between Lawrence Street and State Trunk Highway 34 in Belle Fourche. This single speed limit of 35 miles per hour would replace two separate speed zones of 30 miles per hour and 40 miles per hour on this stretch of highway. The purpose of these changes is to enhance safe and efficient traffic movements. **70:01:02:19 – Clay County speed zone.** The speed limit on State Trunk Highway 50 through Vermillion is being reduced from 55 mph to 50 mph. The purpose of this change is to enhance safety on this stretch of highway. There are also changes to distance estimates set out in the rule. The purpose of these changes is to accurately reflect actual distances measured on the highway.

Article 70:07 – Highway Construction Contracts. Changes are being made to the bidding capacity rating requirements for bidders on highway construction contracts. The effect of these changes will be to set bidding capacity ratings on a per-contract basis rather than establishing an overall maximum rating. The purpose of these changes is to enhance competitive bidding on highway construction contracts.

At the hearing, interested persons will be given reasonable opportunity to submit amendments, data, opinions, and arguments, either orally or in writing, or both. Interested persons may mail amendments, data, opinions, and arguments to the South Dakota Department of Transportation, 700 East Broadway Avenue, Pierre, South Dakota 57501-2586 or transmit the information by e-mail to Darin.Bergquist@state.sd.us. Information submitted by mail or e-mail must reach the Department of Transportation on or before **October 22, 2017**, 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 rules may be obtained without charge from:

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

The proposed rules are also posted on the following website: <http://open.sd.gov>

Published at the approximate cost of \$_____.