

SOUTH DAKOTA DEPARTMENT OF TRANSPORTATION
SOUTH DAKOTA STATE RAILROAD BOARD
Notice of Public Hearing to Adopt Rules

A public hearing will be held in the Commission room of the Becker-Hansen Building at 700 East Broadway Avenue in Pierre, South Dakota, on Wednesday, October 19, 2022 at 11:00 a.m. (Central Time) to consider amendments to Administrative Rules of South Dakota numbered:

- 70:05:01:01 – Terms
- 70:05:01:02 – Meetings and quorum
- 70:05:01:03 – Declaratory rulings
- 70:05:01:04 – Approval of division action.
- 70:05:01:05 – Adoption of guidelines for property management – Notice required.
- 70:05:02:16 – Record of income
- 70:05:03:01 – Definitions
- 70:05:03:03 – Application requirements
- 70:05:03:04 – Equity contribution
- 70:05:03:05 – Permissible uses of loan proceeds
- 70:05:03:06 – Factors for board action
- 70:05:03:07 – Acceptance and time restrictions of applicant
- 70:05:03:08 – Loan agreement
- 70:05:03:09 – Borrower reporting requirements
- 70:05:03:10 – Inspection of the borrower by the board and retention of records
- 70:05:03:11 – Additional notification requirements
- 70:05:03:12 – Maturity and interest rate
- 70:05:03:13 – Review of financial status
- 70:05:03:15 – Delegation of administrative functions
- 70:05:04:01 – Deadline for submission of information for railroad tax credit – Application form – Information required.

The effect of the proposed rule changes will be to amend or repeal rules concerning administration of the board; property management guidelines; the award and administration of railroad trust fund loans; and the requirements for railroad tax credits. The purpose of the proposed amendments is to streamline and improve processes, clarify the rules, eliminate outdated provisions, and make the rules easier to administer.

Persons interested in presenting amendments, data, opinions, and arguments for or against the proposed rules may appear in-person at the hearing, or mail or e-mail them to the South Dakota Department of Transportation, 700 East Broadway Avenue, Pierre, South Dakota 57501-2586, Joel. Jundt@state.sd.us. The deadline to submit any such written comments for consideration by the South Dakota State Railroad Board is October 15, 2022. Interested persons who cannot attend the hearing in-person may listen to the hearing and offer amendments,

data, opinions, and arguments by calling the conference number (866)705-2554 and entering the conference code 153277.

After the written comment period, the South Dakota State Railroad Board will consider all written and oral comments that are timely received on the proposed rules. The South Dakota State Railroad Board may modify or amend a proposed rule at that time to include or exclude matters that are described in this notice.

For Persons with Disabilities: This hearing will be located at a physically accessible place. If you have a disability that will require accommodation, please call the department's ADA Coordinator at 605-773-3540 or 1-800-877-1113 (Telecommunication Relay Services for the Deaf) at least 48 hours before the public hearing.

Copies of the proposed rules may be obtained without charge from:

Secretary of Transportation	OR	rules.sd.gov
Becker-Hansen Building		
700 East Broadway Avenue		
Pierre, South Dakota 57501-2586		
(605)773-3265		
Joel.Jundt@state.sd.us		

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