

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

Pursuant to the authority vested in them by SDCL 1-26, the South Dakota Transportation 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 **September 26, 2013**, at 9:05 am (CDST) to consider the proposed amendments or additions to the following rules:

70:01:02:11(6) – A limited speed zone on State Highway 73 in Bennett County beginning at its junction with U. S. Highway 18 north to the Bennett County line is being repealed following reconstruction of this highway segment.

70:01:02:39(11) – A limited speed zone on State Highway 73 beginning at the Jackson-Bennett county line north to 3.0 miles north of its junction with State Highway 44 is being repealed following reconstruction of this highway segment.

70:04:02:01 – The definitions used in chapter 70:04:02 concerning Informational, Directional Signs – On Right-Of-Way are being amended to add definitions for “Amusement,” “Attraction”, “Cultural”, “Historical”, and “Leisure” in accordance with legislation authorizing attractions as a qualifying type of business service for motorists eligible for informational, directional signage.

70:04:02:03 - Is being amended to add “attractions” to provisions directing the location of sign panels.

70:04:02:04 – A rule establishing criteria for the location and spacing of panels at interchanges is being repealed.

70:04:02:05 – A rule establishing criteria for the location and spacing of panels at intersections is being repealed.

70:04:02:07 – A rule establishing criteria for the location and spacing of supplemental panels is being repealed.

70:04:02:08– The rule establishing criteria for the composition of supplemental panels is being amended to clarify its application to the maximum number of allowable signs rather than “all signs.”

70:04:02:09 – A rule establishing the location of supplemental panels is being amended to include panels for “attractions.”

70:04:02:10 – A rule specifying the location of a qualified business in relation to the informational, directional sign is being amended to clarify that the business is allowed signage only at the closest intersection or interchange.

70:04:02:11 – A rule establishing the number of allowable panels is being amended to a maximum of 4 at an intersection or interchange approach, and to add “attractions” as a business category.

70:04:02:12 – A rule establishing the number of allowable supplemental panels is being amended to a maximum of 4 at an intersection or interchange approach, and to add “attractions” as a type of business category.

70:04:02:12.01 – A new rule establishing the order of priority if the number of service for motorist types exceeds the number of panels and supplemental panels allowed, in accordance with federal requirements.

70:04:02:13 – A rule establishing the number of business signs allowed on a panel is being amended to include “attractions” as a type of business category.

70:04:02:14 – A rule establishing the maximum number of business signs on a supplemental panel is being amended to include “attractions” as a type of business category.

70:04:02:16 – A rule establishing criteria for the composition, fabrication and size of business signs is being amended to reference the established national standard for the sheeting requirements; to add “attractions” as a type of business category; and to add a new subsection limiting the number of symbols and business names on a business sign.

70:04:02:17 – An existing rule establishing the eligibility requirements for businesses is being amended to repeal the requirement for a public access telephone; to require the business to be open for 4 consecutive months of the year instead of from May 1 to September 30; to repeal the requirement that businesses providing gasoline also offer tire repair, oil and potable water; reduce from 3 to 2 the number of daily meals that must be provided by businesses providing food services; and to require attractions to have drinking water and modern sanitary facilities.

70:04:02:18 – An existing rule establishing the application procedure for a business sign is being amended to add that there is no application fee for trailblazing signs, and to repeal the priority given food service businesses that provide the most services.

70:04:02:19 – An existing rules establishing the annual rental fee for business signs is being amended to include trailblazing signs located on a state highway.

70:04:02:20 – An existing rule establishing requirements for furnishing, repairing and installing business signs is being amended to clarify that the department will install and remove signs on interstate and state highways.

70:04:02:21 – An existing rule establishing requirements for masking or removal of business signs is being amended to clarify when a business sign owner must notify the department of the suspension of the business operation.

70:04:02:23 - A new rule is being added to establish criteria for the allowance and location of trailblazing signs on a state highway.

70:04:02:24 – A new rule is being added to establish the requirements for the furnishing, repairing, installation and removal of trailblazing signs.

A new Figure 1 Business Signs size specifications is being added to Appendix A to replace the existing size specifications

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 25, 2013**, 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).

Copies 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

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