

# State of South Dakota

NINETY-THIRD SESSION  
LEGISLATIVE ASSEMBLY, 2018

400Z0268

## HOUSE BILL NO. 1008

Introduced by: The Committee on Transportation at the request of the Department of  
Transportation

1 FOR AN ACT ENTITLED, An Act to revise certain provisions that authorize the secretary of  
2 transportation to provide for temporary variable speed limits on state highways in the  
3 interests of highway safety due to varying weather, road work, and other conditions.

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

5 Section 1. That § 32-25-19.1 be amended to read:

6 32-25-19.1. Notwithstanding § 32-25-7 or chapter 1-26, the secretary of transportation may  
7 establish limited speed zones through highway work areas on the state trunk highways and on  
8 any segment of the interstate highway system based on monitored traffic, weather, or road  
9 surface conditions if the secretary of public safety and the secretary of transportation, after  
10 consultation with the director of the highway patrol, agree the limited speed zones are necessary  
11 for the protection of life and property. Differing speed limits may be established for different  
12 times of day, different types of vehicles, varying weather conditions, and any other factor that  
13 has a bearing on a safe speed. A limited speed zone is effective when it is conspicuously posted  
14 on appropriate fixed or variable signs. ~~The beginning and end of the immediate work area in~~  
15 each limited speed zone established under this section shall be conspicuously posted with signs



1 showing the maximum speed permissible. The location and duration of this posting shall be  
2 filed with the secretary of transportation. A violation of the speed limit established under the  
3 provisions of this section is a Class 2 misdemeanor. Any fine for a violation of this section  
4 while workers are present shall be double the usual fine for speeding but may not exceed the  
5 maximum fine for a Class 2 misdemeanor as provided by § 22-6-2. Signs showing that such a  
6 fine will be double the usual speeding fine shall be erected in advance of the regulatory speed  
7 limit signs.