

# State of South Dakota

NINETY-FIRST SESSION  
LEGISLATIVE ASSEMBLY, 2016

582X0131

## SENATE TRANSPORTATION ENGROSSED NO. **SB 109** - 02/17/2016

Introduced by: Senators Vehle, Haverly, Novstrup (David), Otten (Ernie), Peterson (Jim), Shorma, Soholt, and Tieszen and Representatives Duvall, Beal, Bolin, Feickert, Hawley, McCleerey, Novstrup (Al), Rozum, and Verchio

1 FOR AN ACT ENTITLED, An Act to require counties to conduct random checkpoints for  
2 overweight vehicles as a condition of receiving funds from the bridge improvement grant  
3 fund.

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

5 Section 1. That § 32-11-38 be amended to read:

6 32-11-38. There is hereby created in the state treasury the local bridge improvement grant  
7 fund. Interest earned on money in the fund shall be deposited into the fund. Any money in the  
8 fund is continuously appropriated to the Department of Transportation. Any money deposited  
9 into and distributed from the fund shall set forth in an informational budget as described in § 4-  
10 7-7.2.

11 The Transportation Commission may award grants from the fund to any local government  
12 entity to construct, reconstruct, and repair bridges. The Transportation Commission shall  
13 consider the need for the project and funding mechanisms available to and utilized by the  
14 applicant when making a decision to award a grant. No county may receive a grant from the



1 fund unless ~~such~~ the county has adopted and annually updated its county highway and bridge  
2 improvement plan pursuant to the provisions of § 1-44-7.5 ~~and~~, has imposed a county wheel tax  
3 pursuant to § 32-5A-1, and has conducted a random checkpoint within the last twelve months  
4 for overweight vehicles pursuant to section 2 of this Act.

5 Section 2. That chapter 32-11 be amended by adding a NEW SECTION to read:

6 Each county shall conduct a random checkpoint to verify that the weight of a vehicle and  
7 its load is lawful. A county shall conduct or the county shall work with the Department of Public  
8 Safety to conduct this random checkpoint at least once each year. The Department of Public  
9 Safety shall provide this service, if requested, and this service shall be provided to the county  
10 at no charge.

11 Section 3. That § 1-44-7.5 be amended to read:

12 1-44-7.5. The Transportation Commission shall promulgate rules, pursuant to chapter 1-26,  
13 to establish the requirements for a county highway and bridge improvement plan that details  
14 proposed county highway and bridge improvement projects in a county for the next five years  
15 and how the county plans to implement an annual random checkpoint for overweight vehicles.  
16 The rules shall provide for the format of the plan and the time by which an update of the plan  
17 must be submitted each year.

18 Section 4. The provisions of this Act are effective on January 1, 2017.