

State of South Dakota

EIGHTY-FIFTH SESSION
LEGISLATIVE ASSEMBLY, 2010

717R0476

SENATE BILL NO. 130

Introduced by: Senators Fryslie, Hansen (Tom), Hanson (Gary), Maher, Peterson, and Vehle
and Representatives Street, Feickert, Frerichs, Lange, McLaughlin, Rausch,
Schlekeway, Sorenson, and Van Gerpen

1 FOR AN ACT ENTITLED, An Act to revise certain provisions concerning the township road
2 system.

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

4 Section 1. That § 31-13-1 be amended to read as follows:

5 31-13-1. The board of township supervisors shall construct, repair, and maintain all of the
6 ~~secondary township~~ roads within the township. The term, township road, means any section line
7 road or other road designated by resolution of the board as being on the township road system.

8 The board shall, at its annual meeting, designate which ~~secondary township~~ roads are full
9 maintenance roads and which are minimum maintenance roads. The board of township
10 supervisors shall publish any resolution designating a ~~secondary township~~ road as minimum
11 maintenance if ~~such~~ the road is a school route. The designation shall be final, after a lapse of
12 thirty days, unless appealed as provided in chapter 31-3. Following its annual meeting, the board
13 shall submit to the county auditor an official map showing each road on the township road
14 system, including any road designated as a minimum maintenance road.



1 Section 2. That § 31-13-1.1 be amended to read as follows:

2 31-13-1.1. The board of township supervisors may designate a ~~secondary~~ township road
3 within the township as a minimum maintenance road if the board determines that the road or
4 a segment of the road is used only occasionally or intermittently for passenger and commercial
5 travel. The board shall identify the beginning and end points of the road designated as minimum
6 maintenance. A minimum maintenance road may be maintained at a level less than the
7 minimum standards for full maintenance roads, but shall be maintained at the level required to
8 serve the occasional or intermittent traffic.

9 Section 3. That § 31-13-13 be amended to read as follows:

10 31-13-13. The board of supervisors of any township may jointly contract with the county of
11 which ~~such~~ the township is a part, and also with any municipality within or adjoining ~~such~~ the
12 township, for the laying out, construction, graveling, hard surfacing, or maintenance of
13 designated township roads. The agreement shall designate the governing board to be charged
14 with contracting for performance of the work, provide for supervision of the work and allocate
15 the costs between the units of government participating. The board of township supervisors may
16 also contract with any other political subdivision, homeowner's association, or rural subdivision
17 developer to perform maintenance work on any road that is not on the township road system.