



2020 South Dakota Legislature

Senate Bill 21

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

1 **An Act to authorize temporary variable speed limits on state highways under certain**
 2 **circumstances.**

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

4 **Section 1.** That § 32-25-19.1 be AMENDED:

5 **32-25-19.1. Limited speed zones--Signs posted--Violation as misdemeanor.**

6 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 if~~
 8 the secretary of public safety and the secretary of transportation, after consultation with
 9 the director of the highway patrol, agree the limited speed zones are necessary for the
 10 protection of life and property, the secretary of transportation may establish limited speed
 11 zones as follows:

- 12 (1) Through highway work areas on the state trunk highways; and
 13 (2) On any segment of the interstate highway system based upon monitored traffic,
 14 weather, or road surface conditions.

15 Temporary reduced speed limits may be established for different times of day,
 16 different types of vehicles, varying weather conditions, and any other factor that has a
 17 bearing on a safe speed. A limited speed zone is effective when it is conspicuously posted
 18 on appropriate fixed or variable signs. The beginning and end of ~~the immediate work area~~
 19 ~~in~~ each limited speed zone established under this section shall be conspicuously posted
 20 with signs showing the maximum speed permissible. The location and duration of this
 21 posting shall be filed with the secretary of transportation. A violation of the speed limit
 22 established under the provisions of this section is a Class 2 misdemeanor. Any fine for a
 23 violation of this section while workers are present shall be double the usual fine for
 24 speeding, but may not exceed the maximum fine for a Class 2 misdemeanor as provided
 25 ~~by~~ in § 22-6-2. Signs showing that ~~such~~ a fine will be double the usual speeding fine shall
 26 be erected in advance of the regulatory speed limit signs.