

AN ACT

ENTITLED, An Act to authorize the Transportation Commission to establish rules governing the allowance, placement, and maintenance of newspaper vending machines at interstate rest areas.

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

Section 1. That § 31-8-16 be amended to read as follows:

31-8-16. No automotive service station or other commercial establishment for serving motor vehicle users may be constructed or located within the right-of-way of, or on publicly owned or publicly leased land acquired or used for or in connection with, a controlled-access highway. This section does not apply to a vending facility allowed pursuant to § 31-29-83. A violation of this section is a Class 2 misdemeanor.

Section 2. That § 31-29-83 be amended to read as follows:

31-29-83. Nothing in §§ 31-29-61 to 31-29-83, inclusive, authorizes the state or any political subdivision to operate or maintain, directly or indirectly, any commercial activity in any safety rest area or information center. This section does not apply to a vending facility, vending soft drinks only, operated for the benefit of visually impaired vendors licensed by the Division of Service to the Blind and Visually Impaired or to a vending facility vending newspapers only. The Transportation Commission may promulgate rules pursuant to chapter 1-26 to establish a form upon which a newspaper vendor may apply for the placement of a vending machine; to establish provisions and standards for the location, operation, and maintenance of vending machines so as not to interfere with the use of the rest area or information center by the traveling public; and to maintain the orderly appearance of the vending facility.

Section 3. That § 31-32-13 be amended to read as follows:

31-32-13. It is a Class 2 misdemeanor for any person to conduct an establishment or maintain a business the nature of which requires the use by patrons or customers of any part of the right-of-

way of a state trunk highway while the patron or customer is receiving or discharging any merchandise or commodity at the place of business. This section does not apply to streets within the limits of municipalities which are under the control and regulation of the municipality. This section does not apply to a vending facility allowed pursuant to § 31-29-83.

An Act to authorize the Transportation Commission to establish rules governing the allowance, placement, and maintenance of newspaper vending machines at interstate rest areas.

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I certify that the attached Act originated in the

SENATE as Bill No. 48

Secretary of the Senate

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President of the Senate

Attest:

Secretary of the Senate

Speaker of the House

Attest:

Chief Clerk

Senate Bill No. 48
File No. _____
Chapter No. _____

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Received at this Executive Office this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor

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The attached Act is hereby approved this _____ day of _____ , A.D., 20____

Governor

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STATE OF SOUTH DAKOTA,
ss.

Office of the Secretary of State

Filed _____ , 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State