

State of South Dakota

EIGHTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2011

654S0453

HOUSE BILL NO. 1109

Introduced by: Representatives Street, Feickert, Kirkeby, Rausch, Rozum, and Verchio and
Senators Fryslie, Frerichs, Hansen (Tom), and Schlekeway

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, as defined pursuant to § 31-1-5, within the township. The board
7 shall, at its annual meeting, designate which secondary township roads are full maintenance
8 roads and which are minimum maintenance roads. The board of township supervisors shall
9 publish any resolution designating a secondary township road as minimum maintenance if ~~such~~
10 the road is a school route. The designation shall be final, after a lapse of thirty days, unless
11 appealed as provided in chapter 31-3. Following its annual meeting, the board shall submit to
12 the county auditor an official map showing each road on the township road system, including
13 any road designated as a minimum maintenance road.

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

15 31-13-1.1. The board of township supervisors may designate a secondary township road



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

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

8 31-13-13. The board of supervisors of any township may jointly contract with the county of
9 which ~~such~~ the township is a part, and also with any municipality within or adjoining ~~such~~ the
10 township, for the laying out, construction, graveling, hard surfacing, or maintenance of
11 designated township roads. The agreement shall designate the governing board to be charged
12 with contracting for performance of the work, provide for supervision of the work and allocate
13 the costs between the units of government participating. The board of township supervisors may
14 also contract with any other political subdivision, homeowner's association, or rural subdivision
15 developer to perform maintenance work on any road that is not on the township road system.