

# State of South Dakota

EIGHTY-FIFTH SESSION  
LEGISLATIVE ASSEMBLY, 2010

717R0476

SENATE ENGROSSED NO. **SB 130** - 2/18/2010

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, 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:



1        31-13-1.1. The board of township supervisors may designate a ~~secondary~~ township road  
2 within the township as a minimum maintenance road if the board determines that the road or  
3 a segment of the road is used only occasionally or intermittently for passenger and commercial  
4 travel. The board shall identify the beginning and end points of the road designated as minimum  
5 maintenance. A minimum maintenance road may be maintained at a level less than the  
6 minimum standards for full maintenance roads, but shall be maintained at the level required to  
7 serve the occasional or intermittent traffic.

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

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