

**STATE OF SOUTH DAKOTA
OFFICE OF THE GOVERNOR
EXECUTIVE ORDER 2011-10**

WHEREAS, The people of the state of South Dakota are faced with problems caused by unseasonably wet weather and soil conditions; and,

WHEREAS, Field work in many parts of the state has been delayed; and,

WHEREAS, Fertilizer application has been delayed and now requires round-the-clock operation; and,

WHEREAS, Overwidth commercial fertilizer applicators are allowed to move on highways during daylight hours by annual permit as authorized by ARSD 70:03:01:32, which prohibits overwidth commercial fertilizer applicators from moving on state highways during nighttime hours; and,

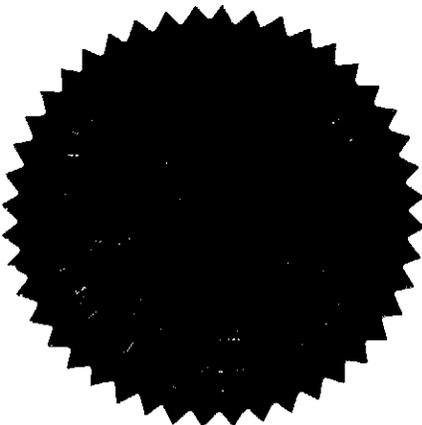
WHEREAS, It is the responsibility of the state to assist the people of the state in meeting problems of mutual concern:

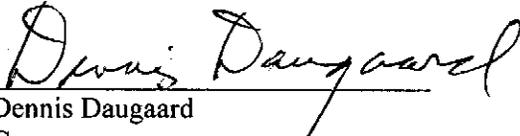
IT IS THEREFORE, BY EXECUTIVE ORDER, directed, notwithstanding SDCL 32-22-2, that such overwidth fertilizer application vehicles shall be allowed to move on state highways in South Dakota during nighttime hours under the terms of the annual permit authorized by ARSD 70:30:01:32, provided their width does not exceed twelve (12) feet and they are equipped with flashing or rotating white or amber warning lights placed at each side of the equipment's widest extremity. The warning lights shall be clearly visible to motorists approaching from front and rear at a distance of at least 500 feet; and,

BE IT FURTHER ORDERED, that because of the unstable conditions of many state, county, and township roads, those roadways have been posted for a reduced weight capacity. This executive order does not grant authority for any vehicle to exceed the recommended weight posting of any such road; and,

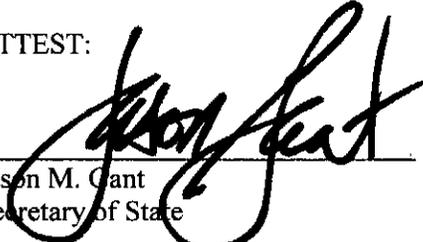
BE IT FURTHER ORDERED, that this executive order shall expire upon the conclusion of the emergency, but in no case later than midnight, May 26, 2011.

Dated in Pierre, South Dakota this Tenth Day of May 2011.




Dennis Dugaard
Governor

ATTEST:


Jason M. Cant
Secretary of State