

**STATE OF SOUTH DAKOTA
OFFICE OF THE GOVERNOR
EXECUTIVE ORDER 2013-07**

WHEREAS, The people of South Dakota are faced with problems caused by unseasonably cold weather and soil conditions along with the continuation of a persistent drought; and,

WHEREAS, Field work in the counties of Aurora, Beadle, Bon Homme, Brookings, Brown, Brule, Buffalo, Campbell, Charles Mix, Clay, Clark, Codington, Davison, Day, Deuel, Douglas, Edmunds, Faulk, Grant, Hamlin, Hand, Hanson, Hughes, Hutchinson, Hyde, Jerauld, Kingsbury, Lake, Lincoln, Marshall, McCook, McPherson, Miner, Minnehaha, Moody, Potter, Roberts, Sanborn, Spink, Sully, Turner, Union, Walworth, and Yankton has been delayed; and,

WHEREAS, Fertilizer application has been delayed and now requires round-the-clock operation in order to lessen the impending disaster of farmers not getting their crops in the field in adequate time for planting and before the persistent drought worsens; and,

WHEREAS, Over-width 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 over-width commercial fertilizer applicators from moving on state highways during nighttime hours; and,

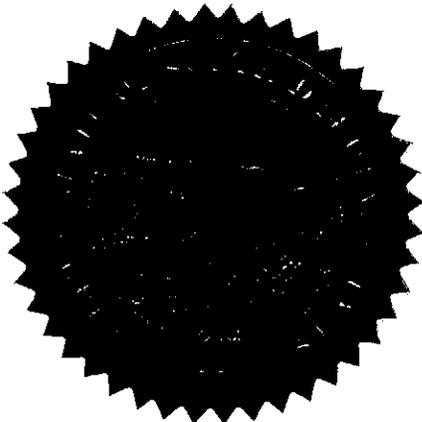
WHEREAS, It is the responsibility of the state to assist the people of the state in meeting problems of mutual concern:

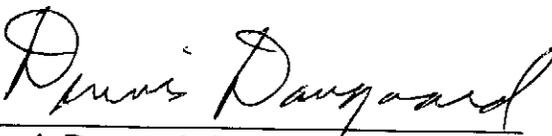
IT IS, THEREFORE, BY EXECUTIVE ORDER, directed, notwithstanding SDCL 32-22-2, that such over-width fertilizer application vehicles shall be allowed to move on state highways in the aforementioned counties located in eastern South Dakota during nighttime hours under the terms of the annual permit authorized 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. This executive order has the power of the special permit for the movement of equipment as authorized in SDCL 34-48A-10; and,

BE IT FURTHER ORDERED, 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, This executive order shall expire upon the conclusion of the emergency, but in no case later than midnight, May 31, 2013.

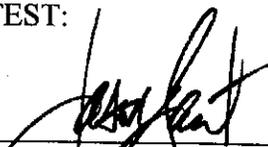
Dated in Pierre, South Dakota, this 9th day of May, 2013.





Dennis Daugaard, Governor

ATTEST:



Jason M. Galt, Secretary of State