

**STATE OF SOUTH DAKOTA
OFFICE OF THE GOVERNOR
EXECUTIVE ORDER 2021-13**

WHEREAS, Widespread drought conditions, low humidity, and extreme high temperatures have created peril for our state; and;

WHEREAS, Nearly 85% of our state is suffering from moderate to extreme drought conditions, and 65% severe to extreme drought; and,

WHEREAS, The livestock industry faces inadequate pasture grass and natural feed supplies are depleted in many parts of the state resulting in inadequate forage for their livestock; and,

WHEREAS, Easing of haying and transportation restrictions is necessary to provide assistance to drought stricken areas; and;

WHEREAS, Design limitations on the highways of the State of South Dakota require the limitation of the size of vehicles operating upon said highways at a height not to exceed fifteen (15) feet, as provided in SDCL 32-22-14, or a width of eight feet (8) six (6) inches as provided in SDCL 32-22-3; and,

WHEREAS, In the interest of public safety, SDCL 32-22-2 and ARSD 70:03:01:07 prohibit overwidth vehicles from moving on state highways during nighttime hours; and,

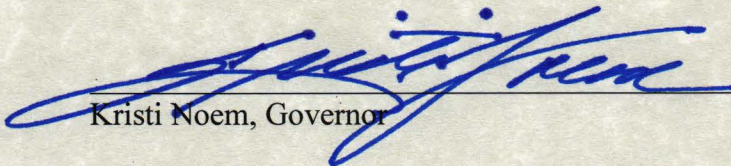
Whereas, It is the responsibility of the State to assist the people of South Dakota in meeting problems of mutual concern, and transportation of livestock feed is in demand for agriculture and transportation needs; and,

It Is, Therefore, By Executive Order, declared under provisions of SDCL34-48A that a state of drought emergency exists, and that upon receipt of a permit as provided for in ARSD 70:03:01:113 and ARSD 70:03:01:114, notwithstanding SDCL 32-22-3, SDCL 32-22-14, and ARSD 70:03:01:07, permission is granted to move overwidth baled livestock feed over any public highway of the state trunk highway system and interstate system in the State of South Dakota two hours before sunrise to two hours after sunset; such vehicles are not to exceed twelve (12) feet in width, or fifteen (15) feet in height, and must be equipped with flashing or rotating amber warning lights placed at each side of the load's widest extremity when operated during darkness hours stated in SDCL 32-22-2. The warning lights shall be clearly visible to motorists approaching from front and rear. This executive order does not grant authority for any vehicle to exceed weight limits or posted bridge and road limits of any such road. Movement under a permit provided by ARSD 70:03:01:113 or 70:03:01:114 is valid only for movement of baled livestock feed to a destination point within South Dakota or location in another state that has declared an emergency for livestock feed. A permit authorized by ARSD 70:03:01:113 and 70:03:01:114 shall be obtained from the Department of Public Safety and carried in the vehicle for the duration of the emergency; and,

BE IT FURTHER ORDERED, That this executive order shall expire upon the cessation of the drought emergency, but in no case later than midnight, November 30th, 2021.

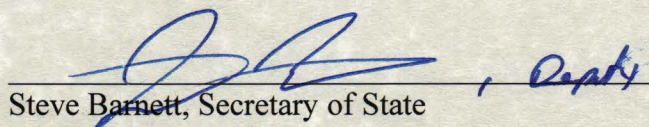
Dated in Pierre, South Dakota, this 14th day of September, 2021.





Kristi Noem, Governor

Attest:



Steve Barnett, Secretary of State