

**STATE OF SOUTH DAKOTA
OFFICE OF THE GOVERNOR
EXECUTIVE ORDER 2026-11**

WHEREAS, South Dakota is experiencing global market factors related to the cost of diesel during the start of harvest but can take action to improve the efficiency of agricultural transportation; and,

WHEREAS, Approximately 846 million bushels of corn, 226 million bushels of soybeans, thousands of calves, and many other agriculture commodities are expected to be transported to market in South Dakota during the next 90 days, creating a significant seasonal demand for agricultural transportation; and,

WHEREAS, The Federal Motor Carrier Safety Administration issued an Hours of Service Waiver for the transportation of gasoline and diesel fuel to respond to global supply disruptions, anticipated increases in the demand for gasoline and diesel fuels in the late summer and fall, and to mitigate impacts on the costs and availability of fuel for transportation service providers, agricultural harvesting, and the traveling public as the demand increases; and,

WHEREAS, Agricultural producers are currently limited during harvest to ten percent overweight limits for a single trip from the point of harvest to the point of first unloading; and,

WHEREAS, SDCL 32-22-42 provides for the promulgation of rules to allow overweight vehicles and specifically, ARSD 70:03:01:02 provides for the issuance of overweight permits:

IT IS, THEREFORE, BY EXECUTIVE ORDER, Declared under provisions of SDCL 34-48A, the Emergency Management law, that a state of emergency exists.

IT IS FURTHER, Ordered that this Executive Order serves as the overweight permit required by SDCL 32-22-42 if such transportation is in accordance with this Executive Order, and the associated fee prescribed by ARSD 70:03:01:02 is suspended,

- a) additional weight not to exceed ten percent is allowed for all movement on state trunk highways, excluding the interstate system, only for a vehicle hauling agricultural products, agricultural commodities, and livestock that exceeds the weight limits in SDCL chapter 32-22.
- b) No single axle shall exceed the maximum axle weight limit of 20,000 pounds.
- c) This permit shall not apply for transporting above posted weight limits on roads or bridges.

IT IS FURTHER, Ordered that the Secretary of the Department of Revenue will continue to evaluate fuel supplies and determine if a shortage of dyed diesel exists and if any refunds can be issued pursuant to SDCL 10-47B-131.3.

IT IS FURTHER, Ordered that this Executive Order shall expire upon the cessation of the fuel emergency, but in no case later than at midnight on December 28, 2026, unless further extended by Executive Order.

Dated in Pierre, South Dakota this 28th day of September, 2026.



A handwritten signature in blue ink, reading "Larry Rhoden", written over a horizontal line.

Larry Rhoden
Governor of South Dakota

ATTEST:

A handwritten signature in blue ink, reading "Monae L. Johnson", written over a horizontal line.

Monae L. Johnson
Secretary of State