

## Why should I report the public roads in my jurisdiction?

The South Dakota Department of Transportation (SDDOT) asks all entities that have jurisdiction of roads to report new, reconstructed, or vacated roads. This information is used to maintain highway maps, develop road mileage reports, and generate reports for the Federal Highway Administration (FHWA).



SDDOT reports certified public road mileage to FHWA and submits public road information to the Highway Performance Monitoring System (HPMS). Congress uses biennial Condition and Performance Reports developed from HPMS to establish authorizing and appropriating legislation, which ultimately determines the scope and size of the Federal-aid Highway Program and sets the level of Federal highway taxation.

Reporting your local road information also helps ensure that future reviews of functional classification, federal-aid eligibility, and county funding formulas are based on an accurate representation of your public road mileage.

## What is the Non State Trunk Road Inventory (NSTRI)?

The NSTRI is a statewide database of more than 74,000 miles of roads under the jurisdiction of city, federal, tribal, county, township, state, and other local entities. The NSTRI includes road identification, location, administration, and physical attributes.

## What public road information should I report?

SDDOT asks that you report:

- any newly constructed or properly vacated roads
- changes in alignment, surface type, curb and gutter
- any inaccuracies that become apparent during the reporting process

This information is required by FHWA's Highway Performance Monitoring System collection guidelines.

Reporting routine maintenance such as adding gravel to roads or patching potholes is not required.

## Who is involved in updating SDDOT's Non-State Trunk Road Inventory (NSTRI)?

- **Local Authorities (Public Entities)**—Anyone with jurisdiction over public roads in South Dakota—cities, townships, counties, tribes, road districts, federal agencies, and state agencies.
- **Contractors**—Since the mid 1990's, SDDOT has contracted with First District Association of Local Governments, Northeast Council of Governments, Planning and Development District III, and South Eastern Council of Governments to update the Non-State Trunk Road Inventory.
- **SDDOT**—The Office of Transportation Inventory Management (TIM) maintains the Non-State Trunk Road Inventory. It relies on Local Authorities and Contractors to compile and submit the information.
- **FHWA**—The Federal Highway Administration monitors the HPMS process and apportions funds to South Dakota based in part on the certified public road mileage.

## What is the process for updating the SDDOT's Non-State Trunk Road Inventory (NSTRI)?

1. Every year, a **Contractor** sends a letter and map to the **Local Authority** asking that new roads, vacated roads, construction changes to roads, and any changes to city boundaries be identified.
2. The **Local Authority** marks changes on the map and sends it back to the **Contractor** along with copies of the documents filed with the county Register of Deeds Office verifying that a road has been officially vacated.

3. **Contractor** drives newly constructed and realigned roads and collects roadway information, including surface type and curb and gutter changes.
4. **Contractor** forwards roadway information, and documents for vacated roads, to **SDDOT**.
5. **SDDOT** removes roads reported as vacated from the inventory if proper documents are provided.
6. **SDDOT** creates mileage reports, places them on the Internet, and notifies County Auditors.
7. **SDDOT** submits the annual certification of public road mileage to **FHWA** for apportionment of federal funds.

## What roads should I report?

To meet the intent of federal law (23USC101(a)(27); 23 CFR 460), report all roads that are:

- accessible to the general public except during scheduled periods, extreme weather, or emergency conditions, and
- open to the general public for use without secured gates, prohibitive signs, or regulation other than size, weight, or registration class restrictions, and
- passable by 4-wheel standard passenger cars



Examples of what should be reported include:

- section lines with wheel tracks, passable by a standard passenger car
- roadways developed and maintained by a public entity that are intended for public travel
- roadways that have been designated minimum maintenance
- roadways that belong to an organized road district
- publicly accessible roads within parks, wildlife or refuge areas, public hunting areas, or any designated public lands
- publicly accessible roads on Indian reservations

## What roads should I not report?

Some roads are not reportable, such as:

- roadways with secured gates or restricted access
- roadways only accessible to 4-wheel drive vehicles year-round due to condition
- roadways that are private and not intended for



public travel such as residential driveways

If you have questions about which roads should or should not be reported, please contact SDDOT's Office of Transportation Inventory Management.

## Should I report roads that I do not maintain?

Reporting roads is not an indication that you have maintenance responsibilities for those roads. Even if roads are maintained by another governmental entity, you should report them, so long as they are dedicated for public use without locked gates, prohibitive signs, or restrictive regulations other than size, weight, and registration class. You should also report the type of jurisdiction (city, county, township, road district etc).

## Should a road be reported if the jurisdiction has transferred?

When the jurisdiction of a road is transferred, the entity transferring the jurisdiction should report that it has been transferred. The entity accepting the jurisdiction should report it as an addition to its jurisdiction and should continue to report information about the road thereafter. An example of this type of change is when a township dissolves or re-organizes and the jurisdiction is transferred between the township and county.

## How can I get a copy of my data?

Non-State Trunk Road Inventory data is available in Geographic Information System format from:

<https://bit.ly/2lw8dYE>

SDDOT values local governments as vital business partners and believes that sharing data fosters strong relationships and helps build a better transportation system in our state.

## How does my jurisdiction vacate a public road so the change is reflected in SDDOT's records?

To ensure that vacated roads are removed from SDDOT's inventory and maps, your jurisdiction must follow the vacating procedures outlined in South Dakota Codified Laws (SDCL) Title 9 (for municipalities) & Title 31 (for townships and counties), which include:

1. The governing board or commission receives a valid petition to vacate a road. (SDCL §31-3-6; §9-45-7; §9-45-10)
2. The governing body must publish notice of a public hearing on the petition once each week for at least two consecutive weeks. (SDCL §31-3-7; §9-45-8; §9-45-11)
3. The governing body or a properly appointed committee must hold a public hearing to receive evidence about the action proposed by the petition. (SDCL §31-3-7; §9-45-9)
4. To vacate a road, the governing body must pass a resolution approving the vacation. In the case of a municipal government, a two-thirds vote of all of the members of the governing body is required. (SDCL §31-3-7; §9-45-9)
5. The resolution of vacation must be printed in the minutes of the governing body. (SDCL §31-3-9; §9-19-8)
6. The resolution of vacation must be published in newspapers as required by law. (SDCL §31-3-9; §9-45-12; §9-19-8)
7. A certified copy of the resolution of vacation must be recorded with the register of deeds in the county or counties where the road is located. (SDCL §31-3-8; §9-45-12)

8. Vacation of a road within the extraterritorial area of a municipality must be approved by the governing bodies of both the municipality and the county or township. (SDCL §31-3-44; §9-45-13.1)
9. If the road to be vacated is on a township boundary line, the governing bodies of each adjoining township must pass a like resolution and order to vacate the road. (SDCL §31-3-13)
10. If the road to be vacated is a section line highway, a township or county may not vacate it if it: (1) is part of the state trunk highway system; (2) was constructed by state or federal aid; (3) is within the limits of a municipal corporation; or (4) provides access to public lands. In addition, a township may not vacate a section line highway that is part of the county highway system. (SDCL §31-18-3)

During the NSTRI reporting process, local authorities should indicate that the road has been vacated by marking it on the map and sending the Contractor a copy of the certified resolution recorded with the register of deeds.

**South Dakota Department of Transportation  
Office of Transportation Inventory Management  
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The South Dakota Department of Transportation gives public notice of its policy to uphold and assure full compliance with the non-discrimination requirements of Title VI of the Civil Rights Act of 1964 and related Nondiscrimination authorities. Title VI and related Nondiscrimination authorities stipulate that no person in the United States of America shall on the grounds of race, color, national origin, religion, sex, age, disability, income level or Limited English Proficiency be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving Federal financial assistance.

Any person who has questions concerning this policy or wishes to file a discrimination complaint should contact the Department's Civil Rights Office at 605-773-3540.

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## How do counties add or delete roads from their County Primary Highway System?

To add or delete a road from a county's primary highway system, the procedures outlined in SDCL §31-12-2 and SDDOT Policy must be followed:

1. The county commission must pass a resolution describing the desired additions or deletions. Relocations are considered a deletion and an addition to the system.
2. The commission's resolution must state the reasons for the requested change. For example, changes in county development patterns or traffic increases on township roads could be cited.
3. The county must forward a copy of the commission's resolution to the Secretary of the SDDOT and must include a county map showing the existing road system with proposed additions or deletions marked in contrasting colors.
4. If the resolution requests deletions from the county highway system, the county should provide proof to SDDOT that notice of the proposed change has been published in an official county newspaper at least 10 days in advance of the commission meeting at which the proposed action will be considered. The notice must describe the sections being abandoned and the time and place for action to be taken by the county commission.
5. If the Resolution requests any deletions from the county highway system that would result in a jurisdictional transfer from the county to another governmental entity, include an agreement, resolution or other documentation from the other governmental entity accepting responsibility for the segment to be deleted.
6. Provide any other information as requested by the Secretary or the Secretary's designee.
7. Send all resolutions and questions to:  
SDDOT Office of Project Development  
700 E Broadway Ave, Pierre, SD 57501-2586  
Phone 605.773.3157

SDDOT responsibilities:

The Secretary of Transportation must wait at least 30 days after receipt of a resolution requesting deletion from the county highway system to formally act on the request. The Secretary is not required to wait 30 days to act on a resolution for an addition to the system.

