STATE OF SOUTH DAKOTA
OFFICE OF THE GOVERNOR
EXECUTIVE ORDER 2026-08

WHEREAS, Widespread drought conditions, low precipitation, and exceedingly high temperatures have created serious peril for our state; and,

WHEREAS, Nearly 83% percent of our state is suffering from abnormally dry, or moderate to extreme drought conditions observed on farm and ranch land throughout the entire state; and,

WHEREAS, Drought conditions threaten livestock, property, and the livelihood of our citizens, especially our farmers and ranchers, as drought-stricken pastures and hay fields leave agricultural producers with inadequate pasture grass, and natural feed supplies are depleted in many parts of the state resulting in inadequate forage for livestock causing a need for increased transportation of livestock feed throughout the state; and,

WHEREAS, Design limitations on the highways of the State require the limitation of the size of vehicles operating upon said highways at a height not to exceed 15 feet, as provided in SDCL 32-22-14, or a width of 8 feet 6 inches as provided in SDCL 32-22-3 and SDCL 32-22-2 and ARSD 70:03:01:07 prohibit overwidth vehicles from moving on state highways during nighttime hours; and,

WHEREAS, I activated the state Drought Task Force on May 6, 2026 to monitor drought conditions across South Dakota and whose purpose is to assist in responding quickly to needs of the communities across the State, and on July 16, the Drought Task Force recommended waiving certain rules for a period of sixty days; and,

WHEREAS, It is the responsibility of the State to assist the people of South Dakota in meeting problems of mutual concern, which now requires easing of transportation restrictions be necessary to provide assistance to drought-stricken areas for transporting livestock feed in demand for agriculture needs:

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

IT IS FURTHER ordered that, upon receipt of a permit as provided for in ARSD 70:03:01:113 and 70:03:01:114, notwithstanding SDCL 32-22-3 and 32-22-14, pursuant to ARSD 70:03:01:07, permission is granted during this emergency to move overwidth baled livestock feed over any public highway of the state trunk highway and interstate system within the State two hours before sunrise through 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 as stated in SDCL 32-22-2, and such 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 at no charge and carried in the vehicle for the duration of the emergency.

IT IS FURTHER ordered that the provisions of ARSD 61:25:02:01 limiting the farm vehicle operator's commercial driver's license exemption to within 150 miles of a person's farm is hereby suspended for intrastate travel.

IT IS FURTHER ordered that this Executive Order shall expire upon the cessation of the drought emergency, but in no case later than at midnight on September 14, 2026, unless further extended by Executive Order.

Dated in Pierre, South Dakota this 16th day of July, 2026.

Larry Rhoden
Governor of South Dakota

ATTEST:

Monae L. Johnson
Secretary of State