STATE OF SOUTH DAKOTA
OFFICE OF THE GOVERNOR
EXECUTIVE ORDER 2026-12

WHEREAS, The State of South Dakota continues to have lasting impacts from the summer drought, whereby at one time 90% of the state experienced drought conditions that dried vegetation across the state to record levels; and,

WHEREAS, Extensive drought conditions in pastures and hay fields continues to impede the supply of hay and have left 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 on state highways 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 over width vehicles from moving on state highways during nighttime hours; and,

WHEREAS, With the winter approaching there are now shorter daylight hours for the hauling of hay at a time when the delivery and storage of hay for winter feed stocks are critical; and,

WHEREAS, It is the responsibility of the State to assist the people of South Dakota in meeting problems of mutual concern, which requires easing of transportation restrictions 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 emergency exists caused by drought.

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.

Nothing in this Order shall be construed to modify, waive, or suspend the mileage limitations established under ARSD 61:25:02:01. It is recognized that federal regulation under 49 C.F.R. § 390.39 exempts "covered farm vehicles," including their operators, from federal commercial driver's license requirements and certain additional federal motor carrier regulations when operating such vehicles as defined in 49 C.F.R. § 390.5.

This Executive Order, originally dated July 16, 2026 and extended by Executive Order 2026-10, is hereby extended and shall expire upon the cessation of this emergency but in no case later than midnight on December 15, 2026, unless further amended or extended by Executive Order.

Dated in Pierre, South Dakota this 17th day of November, 2026.

Larry Rhoden
Governor of South Dakota

ATTEST:

Monae L. Johnson
Secretary of State