

By: Senator(s) Thames

To: Highways and
Transportation

SENATE BILL NO. 2297

1 AN ACT TO AUTHORIZE THE TRANSPORTATION COMMISSION TO ENTER
2 INTO A WRITTEN CONTRACT WITH A NON-GOVERNMENTAL ENTITY TO
3 MANUFACTURE, INSTALL AND MAINTAIN TOURIST-ORIENTED ACTIVITY SIGNS
4 ON RURAL ROADS; TO AUTHORIZE THE COMMISSION TO IMPOSE A REASONABLE
5 FEE FOR EACH TOURIST-ORIENTED DIRECTIONAL SIGN; TO AUTHORIZE THE
6 COMMISSION TO ADOPT AND PROMULGATE RULES AND REGULATIONS NECESSARY
7 TO CARRY OUT THE REQUIREMENTS OF THIS ACT; AND FOR RELATED
8 PURPOSES.

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

10 SECTION 1. (1) As used in this act, unless the context
11 requires otherwise:

12 (a) "Commission" means the Mississippi Transportation
13 Commission.

14 (b) "Department" means the Mississippi Department of
15 Transportation.

16 (c) "Eligible attraction" means a tourist-oriented
17 activity that is all of the following:

18 (i) Within ten (10) miles of a rural road;

19 (ii) Not visible from the rural road; and

20 (iii) No other outdoor advertising signs.

21 (d) "Rural road" means a road that is all of the
22 following:

23 (i) Not within corporate limits; and

24 (ii) Not a controlled access facility, expressway
25 or freeway.

26 (e) "Tourist-oriented activity" means a lawful
27 cultural, historical, recreational, educational or commercial
28 (excluding fuel and food) activity for which a major portion of
29 the activities income or visitors are derived during the normal

30 business season from motorist not residing in the immediate area
31 (25-mile radius) of the activity.

32 (f) "Tourist-oriented activity sign" means a sign used
33 to provide motorists with advanced notice of a tourist-oriented
34 activity.

35 (2) The Mississippi Transportation Commission is authorized
36 and empowered to enter into a written contract with a
37 non-governmental entity (contractor) to manufacture, install and
38 maintain tourist-oriented activity signs on rural roads. The
39 non-governmental entity shall be selected by the commission
40 through the competitive selection process. The written contract
41 shall not prohibit the non-governmental entity from making a
42 reasonable profit, which shall be determined by the commission.

43 (3) The commission may impose a reasonable fee for each
44 tourist-oriented directional sign to reimburse the department for
45 anticipated costs in implementing and administering this activity.
46 Funds derived from this fee shall be deposited into the
47 Department of Transportation Special Fund.

48 (4) The non-governmental entity (contractor) may impose a
49 reasonable fee for each tourist-oriented directional sign to
50 reimburse the non-governmental entity for anticipated cost,
51 including a reasonable profit, associated with manufacturing,
52 installing, maintaining and administering this activity. All fees
53 imposed by the non-governmental entity (contractor) shall be
54 approved by the commission.

55 (5) The size, location, design and arrangement of each
56 tourist-oriented directional sign subject to this act shall
57 conform to the policies and procedures of the department and the
58 Manual on Uniform Traffic Control Devices.

59 (6) Qualified activities shall be required to remove any
60 advertising device which was unlawfully erected or which is not in
61 compliance with state or federal outdoor advertising laws,
62 regulations, policies or procedures.

63 (7) The commission shall adopt and promulgate rules and
64 regulations deemed necessary by the department to carry out the
65 requirements of this act.

66 (8) No state funds shall be used for the manufacturing,

67 installation, maintenance and administration of this activity.

68 SECTION 2. This act shall take effect and be in force from

69 and after its passage.