

By: Dearing

To: Highways and
TransportationSENATE BILL NO. 2157
(As Sent to Governor)

1 AN ACT TO AMEND SECTION 65-1-136, MISSISSIPPI CODE OF 1972,
 2 TO AUTHORIZE THE MISSISSIPPI TRANSPORTATION COMMISSION TO CONTRACT
 3 WITH PRIVATE SECURITY FIRMS TO PROVIDE SECURITY FOR CERTAIN
 4 BUILDINGS, PROPERTY OR FACILITIES IN WHICH A WELCOME CENTER OR
 5 HOSPITALITY STATION HAS BEEN ESTABLISHED BY THE MISSISSIPPI
 6 DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT; TO CREATE A NEW
 7 SECTION TO BE CODIFIED AS SECTION 55-25-6, MISSISSIPPI CODE OF
 8 1972, TO REQUIRE RULES AND REGULATIONS ADOPTED BY COUNTIES THAT
 9 HAVE ESTABLISHED A RAILS-TO-TRAILS RECREATIONAL DISTRICT TO BE
 10 PUBLISHED; TO PROVIDE THAT SUCH RULES AND REGULATIONS, UPON
 11 PUBLICATION, SHALL HAVE THE FORCE AND EFFECT OF LAW; TO PROVIDE
 12 THAT VIOLATION OF ANY SUCH RULES AND REGULATIONS SHALL CONSTITUTE
 13 A MISDEMEANOR AND TO PROVIDE A PENALTY FOR SUCH VIOLATION; TO
 14 PROVIDE THAT RECREATIONAL FACILITIES DEVELOPED AND OPERATED BY THE
 15 DISTRICT SHALL CONSTITUTE PUBLIC HIGHWAYS AND THAT APPLICABLE
 16 RULES AND REGULATIONS OF THE MISSISSIPPI TRANSPORTATION COMMISSION
 17 AND OTHER STATE AGENCIES SHALL BE ENFORCEABLE ON SUCH FACILITIES;
 18 TO RESTRICT THE TYPES OF VEHICLES THAT MAY BE OPERATED ON SUCH
 19 RECREATIONAL FACILITIES; AND FOR RELATED PURPOSES.

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

21 SECTION 1. Section 65-1-136, Mississippi Code of 1972, is
 22 amended as follows:[WAN1]

23 65-1-136. (1) In addition to employing security officers as
 24 full-time employees of the Mississippi Department of
 25 Transportation as authorized under subsection (1) of Section
 26 65-1-131, the Mississippi Transportation Commission may contract
 27 with any private security firm or business authorized to do
 28 business in this state for the purpose of providing security for
 29 buildings, property or facilities owned by or under the
 30 jurisdiction of the Transportation Commission or the
 31 Transportation Department, or for buildings, property or
 32 facilities located on a trunkline highway at or near a point of
 33 entry into this state in which a welcome center or hospitality
 34 station has been established by the Mississippi Department of

35 Economic and Community Development.

36 (2) A security officer of a security firm or business with
37 which the commission has contracted pursuant to the provisions of
38 this section, while engaged in the performance of his duties,
39 shall carry on his person a badge identifying him as a security
40 officer and an identification card issued by the Transportation
41 Commission. When in uniform, each such security officer shall
42 wear his badge in plain view.

43 (3) A security officer of a security firm or business with
44 which the commission has contracted pursuant to the provisions of
45 this section shall have only such powers of arrest as may be
46 exercised by a private citizen of this state and only such right
47 to bear firearms or weapons while engaged in the performance of
48 his duties as authorized under Section 97-37-7.

49 SECTION 2 The following shall be codified as Section
50 55-25-6, Mississippi Code of 1972:

51 55-25-6. (1) The rules and regulations adopted by the
52 Rails-to-trails Recreational District shall be published once a
53 week for two (2) consecutive weeks in a newspaper qualified to
54 publish legal notices in each county that is a member of the
55 district. When rules and regulations have been adopted by the
56 district in accordance with Section 55-25-5 and have been
57 published as required by this section, such rules and regulations
58 shall have the force and effect of general law, and any violation
59 of such rules and regulations shall constitute a misdemeanor
60 punishable, upon conviction, by a fine of not less than Fifty
61 Dollars (\$50.00) nor more than Five Hundred Dollars (\$500.00), or
62 by imprisonment for not more than thirty (30) days, or by both
63 such fine and imprisonment.

64 (2) Any recreational facility developed and operated
65 pursuant to this chapter, specifically including Section
66 55-25-5(f), shall constitute a public highway, and all applicable
67 rules and regulations of the Mississippi Transportation Commission
68 and other state agencies shall be enforceable on such recreational
69 facilities. However, no motor vehicle may be operated or used on
70 such recreational facility except law enforcement vehicles,
71 emergency vehicles, maintenance vehicles or other vehicles

72 authorized by the district.

73 SECTION 3. This act shall take effect and be in force from
74 and after its passage.