

By: Furniss

To: Highways and
Transportation

SENATE BILL NO. 3134

1 AN ACT TO AMEND SECTION 65-3-97, MISSISSIPPI CODE OF 1972, TO
2 ADD A SEGMENT OF HIGHWAY IN COAHOMA COUNTY TO THE FOUR-LANE
3 HIGHWAY PROGRAM; AND FOR RELATED PURPOSES.

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

5 SECTION 1. Section 65-3-97, Mississippi Code of 1972, is
6 amended as follows:[WAN1]

7 65-3-97. (1) In addition to and including all other
8 highways designated as a part of the state highway system, there
9 is hereby designated as a part thereof a four-lane highway system
10 to connect various areas of the state with interstate and primary
11 highways. The Mississippi Department of Transportation shall
12 construct and reconstruct four-lane highways, that is, not less
13 than two (2) lanes for traffic flowing in each direction, along
14 the routes designated in this section.

15 (2) In the construction and reconstruction of the four-lane
16 highway system designated in this section, the Mississippi
17 Department of Transportation may utilize the roadway of any
18 existing highway under its jurisdiction and control and shall do
19 so when such utilization is feasible, provided that such highways
20 which are utilized shall be constructed to current standards for
21 such roadways. When it is not feasible to utilize existing
22 designated highways, the Transportation Department shall relocate
23 such highways and construct entirely new facilities whether in
24 urban or rural areas.

25 (3) Construction of the four-lane highway system designated
26 in this subsection shall commence, proceed and be performed by the

27 Mississippi Department of Transportation strictly in accordance
28 with the following set of priorities established for the letting
29 of contracts on and along various segments thereof:

30 (a) Of the following group of highway segments not less
31 than fifteen percent (15%) of all contracts necessary to be let
32 for completion of all segments within the group shall be let by
33 June 30, 1988, not less than thirty percent (30%) of such
34 contracts shall be let by June 30, 1989, not less than fifty
35 percent (50%) of such contracts shall be let by June 30, 1990, not
36 less than seventy percent (70%) of such contracts shall be let by
37 June 30, 1991, not less than ninety percent (90%) of such
38 contracts shall be let by June 30, 1992, and one hundred percent
39 (100%) of such contracts shall be let by June 30, 1993:

40 (i) Highway segments along or near U.S. 45
41 beginning at the Clarke/Lauderdale county line and extending
42 northerly to I-59; then beginning at Macon and extending northerly
43 to Brooksville; then beginning at Columbus Air Force Base and
44 extending northerly to Aberdeen; then beginning at U.S. 278 and
45 extending northerly to Shannon; then beginning at Saltillo and
46 extending northerly to Corinth.

47 (ii) Highway segments along or near U.S. 45A
48 beginning at U.S. 82 and extending northerly to West Point; then
49 beginning four (4) miles south of Okolona and extending northerly
50 to Shannon.

51 (iii) A highway segment along or near U.S. 49W
52 beginning at U.S. 49 and extending westerly through Yazoo City to
53 the Yazoo River.

54 (iv) A highway segment along or near U.S. 49W
55 beginning at Inverness and extending northerly to Indianola.

56 (v) A highway segment along or near U.S. 61
57 beginning at Port Gibson and extending northerly to the four-lane
58 south of Vicksburg.

59 (vi) Highway segments along or near U.S. 72
60 beginning at or near Mt. Pleasant and extending southeasterly to
61 Mississippi 5; then beginning at Walnut and extending
62 southeasterly to Corinth; then beginning at Strickland and
63 extending southeasterly to Burnsville.

64 (vii) Highway segments along or near U.S. 78
65 beginning at Holly Springs and extending southeasterly to the New
66 Albany bypass; then beginning at Mississippi 25 and extending
67 southeasterly to Tremont.

68 (viii) Highway segments along or near U.S. 82
69 beginning at I-55 and extending easterly to Kilmichael; then
70 beginning at Eupora and extending easterly to Mathiston; then
71 beginning at Mississippi 12 and extending easterly to the Alabama
72 state line.

73 (ix) A highway segment along or near U.S. 84
74 beginning at I-59 and extending easterly to the Jones/Wayne county
75 line.

76 (x) Highway segments along or near U.S. 98
77 beginning at Columbia and extending easterly to the Marion/Lamar
78 county line; then beginning at U.S. 49 and extending southeasterly
79 to the Alabama state line.

80 (b) Of the following group of highway segments not less
81 than five percent (5%) of all contracts necessary to be let for
82 completion of all segments within the group shall be let by June
83 30, 1991, not less than ten percent (10%) of such contracts shall
84 be let by June 30, 1992, not less than twenty-five percent (25%)
85 of such contracts shall be let by June 30, 1993, not less than
86 forty percent (40%) of such contracts shall be let by June 30,
87 1994, not less than fifty-five percent (55%) of such contracts
88 shall be let by June 30, 1995, not less than seventy percent (70%)
89 of such contracts shall be let by June 30, 1996, not less than
90 eighty-five percent (85%) of such contracts shall be let by June
91 30, 1997, and one hundred percent (100%) of such contracts shall
92 be let by June 30, 1998:

93 (i) Highway segments along or near Mississippi 25
94 beginning at Mississippi 471 and extending northeasterly to
95 Mississippi 43; then beginning at the Winston/Oktibbeha county
96 line and extending northeasterly to Starkville.

97 (ii) A highway segment along or near Mississippi
98 63 beginning at the Jackson/George county line and extending
99 northerly to Lucedale.

100 (iii) A highway segment along or near Mississippi
101 302 beginning at I-55 in Southaven and extending easterly to U.S.
102 72 at or near Mt. Pleasant.

103 (iv) Highway segments along or near U.S. 45
104 beginning at the Alabama state line and extending northerly to the
105 Clarke/Lauderdale county line; then beginning at Lauderdale and
106 extending northerly to Macon; then beginning at Aberdeen and
107 extending northerly to U.S. 278.

108 (v) A highway segment along or near U.S. 45A
109 beginning at West Point and extending northerly to four (4) miles
110 south of Okolona.

111 (vi) A highway segment beginning at Brooksville
112 along or near U.S. 45 or U.S. 45A and extending northerly to U.S.
113 82, such segment having been designated by the Transportation
114 Commission pursuant to the provisions of paragraph (1)(c) of this
115 section.

116 (vii) A highway segment along or near U.S. 49W
117 beginning at the Yazoo River and extending northerly to Inverness.

118 (viii) Highway segments along or near U.S. 61
119 beginning at the Louisiana state line and extending northerly to
120 the Wilkinson/Adams county line; then beginning at Washington and
121 extending northerly to Port Gibson; then beginning at Merigold and
122 extending northerly to Shelby; then beginning at the north end of
123 the Clarksdale bypass and extending northerly to the Tennessee
124 state line.

125 (ix) A highway segment along or near U.S. 72
126 beginning at Mississippi 5 and extending southeasterly to Walnut.

127 (x) A highway segment along or near U.S. 78
128 beginning at Tremont and extending southeasterly to the Alabama
129 state line.

130 (xi) Highway segments along or near U.S. 82
131 beginning at the Montgomery/Webster county line and extending
132 easterly to Eupora; then beginning at Mathiston and extending
133 easterly to Starkville.

134 (xii) Highway segments along or near U.S. 84
135 beginning at Leesdale and extending easterly to Roxie; then
136 beginning at Auburn Road and extending easterly to I-55; then
137 beginning at the east end of the Brookhaven bypass and extending
138 easterly to Prentiss; then beginning at the Jones/Covington county
139 line and extending easterly to Horse Creek; then beginning at the
140 Jones/Wayne county line and extending easterly to Waynesboro.

141 (xiii) Highway segments along or near U.S. 98
142 beginning at the Pike/Walthall county line and extending easterly
143 to Columbia; then beginning at the Marion/Lamar county line and
144 extending easterly to the four-lane west of Hattiesburg.

145 (c) Of the following group of highway segments not less
146 than ten percent (10%) of all contracts necessary to be let for
147 completion of all segments within the group shall be let by June
148 30, 1996, not less than twenty percent (20%) of such contracts
149 shall be let by June 30, 1997, not less than forty percent (40%)
150 of such contracts shall be let by June 30, 1998, and one hundred
151 percent (100%) of such contracts shall be let by June 30, 1999:

152 (i) A highway segment along or near Mississippi 25
153 beginning at Mississippi 43 and extending northeasterly to the
154 Winston/Oktibbeha county line.

155 (ii) A highway segment along or near Mississippi
156 63 beginning at Lucedale and extending northerly to U.S. 45 at
157 State Line.

158 (iii) A highway segment along or near U.S. 61
159 beginning at Shelby and extending northerly to U.S. 49.

160 (iv) A highway segment along or near U.S. 82
161 beginning at Kilmichael and extending easterly to the
162 Montgomery/Webster county line.

163 (v) Highway segments along or near U.S. 84
164 beginning at Eddiceton and extending easterly to Auburn Road; then
165 beginning at Prentiss and extending easterly to Collins; then
166 beginning at Waynesboro and extending easterly to the Alabama
167 state line.

168 (d) (i) Of the following group of highway segments not
169 less than five percent (5%) of all contracts necessary to be let
170 for completion of all segments within the group shall be let by
171 June 30, 2002, not less than fifteen percent (15%) of such
172 contracts shall be let by June 30, 2003, not less than twenty-five
173 percent (25%) of such contracts shall be let by June 30, 2004, not
174 less than thirty-five percent (35%) of such contracts shall be let
175 by June 30, 2005, not less than forty-five percent (45%) of such
176 contracts shall be let by June 30, 2006, not less than sixty
177 percent (60%) of such contracts shall be let by June 30, 2007, not
178 less than seventy percent (70%) of such contracts shall be let by
179 June 30, 2008, not less than eighty percent (80%) of such
180 contracts shall be let by June 30, 2009, not less than ninety
181 percent (90%) of such contracts shall be let by June 30, 2010, and
182 one hundred percent (100%) of such contracts shall be let by June
183 30, 2011:

184 A. A highway segment along or near
185 Mississippi 6 beginning at the Clarksdale bypass and extending
186 easterly to Batesville.

187 B. A highway segment along or near
188 Mississippi 12 beginning at I-55 and extending easterly to
189 Kosciusko.

190 C. A highway segment along or near
191 Mississippi 15 beginning at I-10 and extending northerly to
192 Mississippi 26; then beginning at U.S. Highway 98 and extending
193 northerly to the Mississippi/Tennessee state line.

194 D. A highway segment consisting of two (2)
195 lanes of construction and two (2) lanes of right-of-way

196 acquisition along or near Mississippi 15 beginning at Mississippi
197 26 and extending northerly to U.S. Highway 98.

198 E. A highway segment along or near
199 Mississippi 19 beginning at Collinsville and extending
200 northwesterly to Kosciusko.

201 F. Highway segments along or near Mississippi
202 25 beginning at Aberdeen and extending northerly to Fulton; then
203 beginning at the Alabama state line and extending northerly to
204 U.S. Highway 72.

205 G. A highway segment along or near U.S.
206 Highway 61 beginning at Redwood and extending northerly to Leland.

207 H. A highway segment along or near U.S.
208 Highway 98 beginning at Meadville and extending southeasterly to
209 Summit or, in lieu thereof, a highway segment along or near
210 Mississippi Highway 24/48 beginning at Woodville and extending
211 easterly to McComb, whichever of such routes meets the criteria
212 established in subparagraph (d)(ii) of this subsection (3).

213 I. A highway segment along or near
214 Mississippi 35 beginning at the Mississippi/Louisiana state line
215 and extending northerly to or near Foxworth.

216 J. A highway segment along or near
217 Mississippi 27 beginning at I-20 and extending southeasterly to
218 I-55.

219 K. A highway segment along or near
220 Mississippi 57 beginning at I-10 and extending northerly ten (10)
221 miles to just north of the community of Van Cleave.

222 L. A highway segment along or near U.S.
223 Highway 49 in Coahoma County beginning at the U.S. Highway 61
224 overpass and extending south to Jonestown-Clairemont Road.

225 (ii) Contracts for the construction and/or
226 reconstruction of highway segments designated within this group
227 shall be let by the Transportation Commission strictly in
228 accordance with the volume capacity of the highway segment. If

229 the volume capacity of a highway segment is less than the volume
230 capacity threshold at which the Transportation Department
231 recommends the construction of a four-lane highway, then the
232 Transportation Department shall make other improvements and
233 highway modifications to such highway segment as needed, such as
234 straightening and realignment of the existing roadway, the
235 addition of passing lanes and the widening of existing lanes, and
236 may acquire any necessary right-of-way for such purposes and for
237 the purpose of future construction of four-lane highways along
238 such segments.

239 (4) The construction priorities established in this section
240 shall not be construed as prohibiting the completion of highway
241 segments which, on July 1, 1987, are included in the current
242 three-year plan under Section 65-1-141, and for which, on July 1,
243 1987, grade and drainage has been completed or contracts for grade
244 and drainage have been let.

245 (5) Contracts may be let and construction may commence and
246 be performed concurrently on any of the highway segments
247 designated in subsection (3) of this section, notwithstanding the
248 priorities established for the letting of contracts on the various
249 segments designated therein, provided that funds are available
250 and, provided that, at all times, the percentages of all contracts
251 required to be let on the segments designated in paragraphs
252 (3)(a), (3)(b), (3)(c) and (3)(d), respectively, are, in fact, let
253 no later than the dates established therein.

254 (6) (a) All highway construction and reconstruction
255 authorized under this section shall be performed by contract let
256 on competitive bid in the manner provided by statute; however,
257 highway segments shall be constructed in lengths of not less than
258 ten (10) miles.

259 (b) It is the intent of the Legislature that not less
260 than ten percent (10%) of the amounts authorized to be expended
261 for construction and reconstruction of the four-lane highway

262 segments designated in this section shall be expended with small
263 business concerns owned and controlled by socially and
264 economically disadvantaged individuals. The term "socially and
265 economically disadvantaged individuals" shall have the meaning
266 ascribed to such term under Section 8(d) of the Small Business Act
267 (15 USCS, Section 637(d)) and relevant subcontracting regulations
268 promulgated pursuant thereto; except that women shall be presumed
269 to be socially and economically disadvantaged individuals for the
270 purposes of this paragraph (b).

271 (7) (a) Notwithstanding the provisions of subsection (6)(a)
272 of this section, the Mississippi Transportation Commission may
273 construct highway segments of less than ten (10) miles in length
274 if:

275 (i) The segment as described in subsection (3) of
276 this section is less than ten (10) miles in length;

277 (ii) The segment will connect two (2) existing
278 four-lane highways;

279 (iii) The segment will connect an existing
280 four-lane highway with an incorporated municipality;

281 (iv) The segment will connect an existing
282 four-lane highway with a river, the state boundary or any other
283 natural or man-made barrier;

284 (v) For a particular project, the costs of
285 constructing a single segment of at least ten (10) miles in length
286 would greatly exceed the aggregate costs of constructing two (2)
287 or more segments; or

288 (vi) The segment is in an urban area and involves
289 the completion of bypasses or other construction which will
290 facilitate and accommodate major traffic movement.

291 (b) In any case in which the Transportation Commission
292 authorizes the construction of a highway segment of less than ten
293 (10) miles in length, the commission shall set forth and record in
294 its official minutes explanation and justification therefor based

295 upon one or more of the conditions prescribed in paragraph (7)(a)
296 of this section.

297 (8) To assist in defraying the costs and expenses for
298 construction, reconstruction and relocation of the four-lane
299 highway system described in this section, the following revenues
300 shall be paid out of such funds made available to the
301 Transportation Commission and the Transportation Department:

302 (a) From matched federal funds or other federal funds,
303 Thirty-two Million Dollars (\$32,000,000.00) for fiscal year 1988,
304 Twenty-five Million Dollars (\$25,000,000.00) for fiscal year 1989,
305 Thirty Million Dollars (\$30,000,000.00) for fiscal year 1990 and
306 fifty percent (50%) of such federal funds for fiscal year 1991 and
307 each fiscal year thereafter; and

308 (b) Five Million Dollars (\$5,000,000.00) from matched
309 federal bridge replacement funds for fiscal year 1988 and each
310 fiscal year thereafter when the segments proposed for construction
311 contain bridges that are eligible for replacement under the
312 Federal Aid Bridge Replacement Program.

313 (9) The Transportation Department shall submit a report to
314 the Legislature by January 10 of each calendar year setting forth
315 the current status of the construction program set forth in this
316 section to include, but not be limited to, the following
317 information:

318 (a) Specific segments on which engineering is being
319 performed or has been completed;

320 (b) Specific segments for which right-of-way has been
321 acquired or is being acquired;

322 (c) Specific segments for which construction contracts
323 have been let;

324 (d) Specific segments on which construction is in
325 progress;

326 (e) Specific segments on which construction has been
327 completed;

328 (f) Projections for completion of the next step on each
329 segment;

330 (g) Revenue derived for such construction program from
331 each revenue source contained in Chapter 322, Laws, 1987, and in
332 Chapter 557, Laws, 1994;

333 (h) For each fiscal year beginning in 1994, a detailed
334 cash flow projection by source of program activities and an
335 estimate of when the program will encounter a funding shortage due
336 to costs exceeding original projections;

337 (i) A schedule of all complete and open-to-traffic
338 highway segments and the related total cost of each segment;

339 (j) A schedule of all highway segments on which all
340 contracts necessary for completion of the segments were not let as
341 of the date required by law;

342 (k) A complete recap of all program receipts by source,
343 and of all disbursements for the prior fiscal year and cumulative
344 totals since the inception of the program as compared to
345 projections; and

346 (l) A statement from the Department of Transportation
347 regarding the status of the funding of the program based on agency
348 cost experience and projections for the future.

349 The report shall be deemed submitted when ten (10) copies are
350 submitted to the Clerk of the House of Representatives and ten
351 (10) copies are submitted to the Secretary of the Senate.

352 SECTION 2. This act shall take effect and be in force from
353 and after July 1, 2000.