MISSISSIPPI LEGISLATURE
REGULAR SESSION 2003

By: Representatives Eakes, Compretta, Green, Mitchell
To: Transportation

HOUSE BILL NO. 901

AN ACT TO AMEND SECTION 65-37-11, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MONIES ALLOCATED TO A COUNTY UNDER THE LOCAL SYSTEM BRIDGE REPLACEMENT AND REHABILITATION PROGRAM THAT HAVE NOT BEEN EXPENDED WITHIN A CERTAIN TIME PERIOD SHALL BE REALLOCATED TO ALL OTHER COUNTIES THAT ARE ELIGIBLE FOR RECEIPT OF LOCAL SYSTEM BRIDGE REPLACEMENT AND REHABILITATION PROGRAM MONIES; TO PRESCRIBE THE FORMULA FOR REALLOCATING SUCH MONIES TO OTHER COUNTIES; TO PROVIDE THAT SUCH REALLOCATED MONIES MAY BE EXPENDED ONLY FOR REPLACEMENT AND REHABILITATION OF BRIDGES WITH A SUFFICIENCY RATING OF FIFTY OR LESS; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 65-37-11, Mississippi Code of 1972, is amended as follows:

65-37-11. (1) The board of supervisors of each county and the governing authorities of each municipality shall be responsible for properly maintaining all bridges replaced or repaired in their respective jurisdictions under the provisions of Sections 65-37-1 through 65-37-15.

(2) The State Aid Engineer and his assistants shall make annual maintenance inspections of completed bridge projects and such other periodic inspections as the State Aid Engineer deems necessary. If at any time the State Aid Engineer is of the opinion that a county or municipality has not provided proper maintenance as required by subsection (1) of this section, he shall give written notice thereof to the board of supervisors of the county or the governing authorities of the municipality of default and direct such maintenance as may be necessary to be performed. If within sixty (60) days of the receipt of such notice the board of supervisors or governing authorities have not performed such maintenance as may be necessary, then the county or
municipality shall not thereafter be eligible to participate in
the Local System Bridge Replacement and Rehabilitation Program.

(3) Whenever any county fails to be eligible for the
expenditure of monies allocated to it under the provisions of
Sections 65-37-1 through 65-37-15 for a continuous period of four
(4) years, then such county shall forfeit and no longer be
entitled to any part of the monies in the Local System Bridge
Replacement and Rehabilitation Fund theretofore allocated to it;
and the balance of such monies theretofore allocated to it shall
be reallocated pro rata between all other eligible counties in
accordance with the formula established in Section 65-37-3.

(4) On or before July 1, 2003, and on or before July 1 of
each year thereafter, the State Aid Engineer shall determine which
counties have Local System Bridge Replacement and Rehabilitation
Fund monies that have been allocated to them under this chapter
but which have not been expended by the county. All of such
monies that have been allocated to a county before July 1, 2003,
but which have not been expended within six (6) years from the
date of initial allocation to the county, and all of such monies
that are allocated to a county on or after July 1, 2003, but which
are not expended within three (3) years from the date of initial
allocation to the county, shall be reallocated to all other
counties that are eligible for receipt of Local System Bridge
Replacement and Rehabilitation monies under this chapter. Of the
monies reallocated under this subsection, the amount that an
eligible county may receive shall be based upon the proportion
that the total number of bridges in that county with a sufficiency
rating of fifty (50) or less bears to the total number of bridges
in all other counties with a sufficiency rating of fifty (50) or
less. Monies reallocated to a county under the provisions of this
subsection may be expended only for replacement and rehabilitation
of bridges with a sufficiency rating of fifty (50) or less.
SECTION 2. This act shall take effect and be in force from and after July 1, 2003.