

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

HOUSE BILL NO. 901

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

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

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

14 65-37-11. (1) The board of supervisors of each county and
15 the governing authorities of each municipality shall be
16 responsible for properly maintaining all bridges replaced or
17 repaired in their respective jurisdictions under the provisions of
18 Sections 65-37-1 through 65-37-15.

19 (2) The State Aid Engineer and his assistants shall make
20 annual maintenance inspections of completed bridge projects and
21 such other periodic inspections as the State Aid Engineer deems
22 necessary. If at any time the State Aid Engineer is of the
23 opinion that a county or municipality has not provided proper
24 maintenance as required by subsection (1) of this section, he
25 shall give written notice thereof to the board of supervisors of
26 the county or the governing authorities of the municipality of
27 default and direct such maintenance as may be necessary to be
28 performed. If within sixty (60) days of the receipt of such
29 notice the board of supervisors or governing authorities have not
30 performed such maintenance as may be necessary, then the county or



31 municipality shall not thereafter be eligible to participate in
32 the Local System Bridge Replacement and Rehabilitation Program.

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

42 (4) On or before July 1, 2003, and on or before July 1 of
43 each year thereafter, the State Aid Engineer shall determine which
44 counties have Local System Bridge Replacement and Rehabilitation
45 Fund monies that have been allocated to them under this chapter
46 but which have not been expended by the county. All of such
47 monies that have been allocated to a county before July 1, 2003,
48 but which have not been expended within six (6) years from the
49 date of initial allocation to the county, and all of such monies
50 that are allocated to a county on or after July 1, 2003, but which
51 are not expended within three (3) years from the date of initial
52 allocation to the county, shall be reallocated to all other
53 counties that are eligible for receipt of Local System Bridge
54 Replacement and Rehabilitation monies under this chapter. Of the
55 monies reallocated under this subsection, the amount that an
56 eligible county may receive shall be based upon the proportion
57 that the total number of bridges in that county with a sufficiency
58 rating of fifty (50) or less bears to the total number of bridges
59 in all other counties with a sufficiency rating of fifty (50) or
60 less. Monies reallocated to a county under the provisions of this
61 subsection may be expended only for replacement and rehabilitation
62 of bridges with a sufficiency rating of fifty (50) or less.



63 **SECTION 2.** This act shall take effect and be in force from
64 and after July 1, 2003.

