

By: Representative Perkins

To: Transportation

HOUSE BILL NO. 1209

1 AN ACT TO AMEND SECTIONS 63-3-303 AND 63-3-305, MISSISSIPPI  
2 CODE OF 1972, TO PROVIDE THAT IN DETERMINING THE PLACEMENT AND  
3 MAINTENANCE OF TRAFFIC CONTROL DEVICES ON STATE AND LOCAL ROADS  
4 CONSIDERATION SHALL BE GIVEN NOT ONLY TO TRAFFIC COUNT BUT ALSO TO  
5 OTHER FACTORS RELEVANT TO PUBLIC SAFETY; AND FOR RELATED PURPOSES.

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

7 **SECTION 1.** Section 63-3-303, Mississippi Code of 1972, is  
8 amended as follows:

9 63-3-303. The Commissioner of Public Safety and the State  
10 Highway Commission shall place and maintain such traffic-control  
11 devices conforming to its manual and specifications, upon all  
12 state and county highways as it shall deem necessary to indicate  
13 and to carry out the provisions of this chapter or to regulate,  
14 warn, or guide traffic.

15 No local authority shall place or maintain any  
16 traffic-control device upon any highway under the jurisdiction of  
17 the Commissioner of Public Safety and the State Highway Commission  
18 except by the latter's permission.

19 In the placement and maintenance of traffic-control devices,  
20 consideration shall be given not only to total traffic count but  
21 also to traffic congestion within the area at peak times, number  
22 and severity of motor vehicle accidents at the location,  
23 applicable speed limits within the area, site-distance limitations  
24 at the location and any other factors relevant to public safety.

25 **SECTION 2.** Section 63-3-305, Mississippi Code of 1972, is  
26 amended as follows:

27 63-3-305. Local authorities in their respective  
28 jurisdictions shall place and maintain such traffic control

29 devices upon highways under their jurisdiction as they may deem  
30 necessary to indicate and to carry out the provisions of this  
31 chapter or provisions of local traffic ordinances or to regulate,  
32 warn, or guide traffic. All such traffic-control devices  
33 hereafter erected shall conform to the state manual and  
34 specifications.

35 Local authorities in exercising those functions referred to  
36 in the preceding paragraph shall be subject to the direction and  
37 control of the State Highway Commission.

38 In the placement and maintenance of traffic-control devices,  
39 consideration shall be given not only to total traffic count but  
40 also to traffic congestion within the area at peak times, number  
41 and severity of motor vehicle accidents at the location,  
42 applicable speed limits within the area, site-distance limitations  
43 at the location and any other factors relevant to public safety.

44 **SECTION 3.** This act shall take effect and be in force from  
45 and after July 1, 2004.