

By: Senator(s) King, Harvey, Albritton,
Jordan, Butler

To: Municipalities

SENATE BILL NO. 2989
(As Sent to Governor)

1 AN ACT TO AMEND SECTION 55-25-6, MISSISSIPPI CODE OF 1972, TO
2 REQUIRE MUNICIPALITIES TO ENFORCE THE RULES AND REGULATIONS OF A
3 RAILS-TO-TRAILS RECREATIONAL DISTRICT OF WHICH IT IS A MEMBER AND
4 TO AUTHORIZE SUCH MUNICIPALITY TO ALLOW ITS LAW ENFORCEMENT
5 PERSONNEL TO ENFORCE SUCH RULES IN CERTAIN AREAS WITHIN THE
6 DISTRICT BUT OUTSIDE THE MUNICIPALITY; AND FOR RELATED PURPOSES.

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

8 **SECTION 1.** Section 55-25-6, Mississippi Code of 1972, is
9 amended as follows:

10 55-25-6. (1) The rules and regulations adopted by the
11 Rails-to-Trails Recreational District shall be published once a
12 week for two (2) consecutive weeks in a newspaper qualified to
13 publish legal notices in each county that is a member of the
14 district. When rules and regulations have been adopted by the
15 district in accordance with Section 55-25-5 and have been
16 published as required by this section, such rules and regulations
17 shall have the force and effect of general law, and any violation
18 of such rules and regulations shall constitute a misdemeanor
19 punishable, upon conviction, by a fine of not less than Fifty
20 Dollars (\$50.00) nor more than Five Hundred Dollars (\$500.00), or
21 by imprisonment for not more than thirty (30) days, or by both
22 such fine and imprisonment.

23 (2) Any recreational facility developed and operated
24 pursuant to this chapter, specifically including Section
25 55-25-5(f), shall constitute a public highway, and all applicable
26 rules and regulations of the Mississippi Transportation Commission
27 and other state agencies shall be enforceable on such recreational
28 facilities. However, no motor vehicle may be operated or used on
29 such recreational facility except law enforcement vehicles,

30 emergency vehicles, maintenance vehicles or other vehicles
31 authorized by the district.

32 (3) Any municipality, which is a member of a Rails-To-Trails
33 Recreational District, shall enforce the rules and regulations of
34 the district in that part lying within the municipality and may
35 authorize its municipal law enforcement personnel to assist the
36 district in the enforcement of the district rules and regulations
37 in any area of the district lying no more than five (5) miles
38 outside the corporate limits of the municipality.

39 **SECTION 2.** This act shall take effect and be in force from
40 and after July 1, 2004.