

By: Senator(s) Kirby

To: Highways and
Transportation

SENATE BILL NO. 2003

1 AN ACT TO AMEND SECTION 65-3-137, MISSISSIPPI CODE OF 1972,
2 TO CLARIFY THAT THE REQUIREMENT UNDER SECTION 65-1-8, MISSISSIPPI
3 CODE OF 1972, THAT CERTAIN SMALL MUNICIPALITIES SHALL NOT BEAR THE
4 COST OF UTILITY RELOCATION FROM THE RIGHTS-OF-WAY OF STATE
5 HIGHWAYS AND THAT THE DEPARTMENT OF TRANSPORTATION SHALL BEAR THE
6 COST IF UTILITY RELOCATION APPLIES TO CERTAIN PROJECTS; AND FOR
7 RELATED PURPOSES.

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

9 **SECTION 1.** Section 65-3-137, Mississippi Code of 1972, is
10 amended as follows:

11 65-3-137. SECTION 1. (1) The following highway is
12 designated as a state highway and is placed under the jurisdiction
13 of the Mississippi Transportation Commission for construction and
14 maintenance when the City of Flowood provides necessary
15 rights-of-way, including utility adjustments and relocations:

16 **Central District - Rankin County:**

17 Mississippi 468 - That two-lane portion of Mississippi
18 468 (Flowood Drive) beginning at Fourth Street in
19 Flowood and extending northeasterly to Mississippi
20 Highway 475, a distance of approximately two and
21 two-tenths (2.2) miles.

22 (2) The segment described in subsection (1) of this section
23 shall be a four-lane facility built to the design standards of the
24 Mississippi Department of Transportation.

25 (3) The requirements under Section 65-1-8 related to the
26 cost and expense of removal and relocation of utilities in the
27 rights-of-way of state highways in municipalities with a
28 population of ten thousand (10,000) or less shall apply to this
29 section.

30 SECTION 2. (1) The Mississippi Department of Transportation
31 shall number, maintain, take over and assume jurisdiction of the
32 following described highway segment, subject to the conditions
33 prescribed in subsection (2) of this section.

34 **Central District - Rankin County:**

35 West Rankin Parkway (New Route) - Beginning at
36 Mississippi 25 in the City of Flowood, thence south to
37 U.S. 80 at Pearson Road in the City of Pearl, all in
38 Rankin County.

39 (2) The Mississippi Department of Transportation may
40 construct the highway segment described in subsection (1) of this
41 section as a four-lane facility in accordance with current design
42 standards; however, the City of Flowood, the City of Pearl, Rankin
43 County and any private corporation jointly shall provide necessary
44 engineering and rights-of-way, including utility adjustments and
45 relocations.

46 (3) The requirements under Section 65-1-8 related to the
47 cost and expense of removal and relocation of utilities in the
48 rights-of-way of state highways in municipalities with a
49 population of ten thousand (10,000) or less shall apply to this
50 section.

51 SECTION 3. The following highway is designated as a state
52 highway and is placed under the jurisdiction of the Mississippi
53 Transportation Commission for construction and maintenance; and
54 such highway, together with the highways designated in Section
55 65-3-3, and all other laws adding links to the designated state
56 highway system, are declared to be the state highway system of
57 Mississippi:

58 **Southern District - Jones County:**

59 Mississippi 590 - Beginning at Mississippi 11 and
60 extending easterly to Mississippi 29, a distance of
61 approximately 1.3 miles.

62 SECTION 4. (1) The following highway is designated as a
63 state highway and is placed under the jurisdiction of the
64 Mississippi Transportation Commission for construction and
65 maintenance; and such highway, together with the highways
66 designated in Section 65-3-3, and all other laws adding links to
67 the designated state highway system, are declared to be the state
68 highway system of Mississippi:

69 **Central District - Newton County:**

70 Decatur Street beginning on the north side of the
71 intersection of Third Street and Decatur Street, and
72 proceeding northward to the beginning of state
73 maintenance south of U.S. Highway 80, all within the
74 City of Newton.

75 (2) The Mississippi Transportation Commission shall
76 maintain, construct, take over and assume jurisdiction of the
77 highway designated in subsection (1) of this section in the same
78 manner and upon the same terms and conditions as set out in
79 Sections 65-1-75, 65-9-1 and 65-9-3. However, the City of Newton
80 shall not be required to provide to the Mississippi Department of
81 Transportation any right-of-way with a width any greater than the
82 width of right-of-way that existed at the time that the highway
83 segment described in subsection (1) of this section was returned
84 to the jurisdiction of the City of Newton.

85 SECTION 5. The following highways are deleted from the state
86 highway system, removed from the jurisdiction of the Mississippi
87 Transportation Commission and returned to the jurisdiction of the
88 governing authorities of the City of Newton:

89 **Central District - Newton County:**

90 (a) That section of old Mississippi 15 beginning south
91 of Interstate 20 at the intersection of old Mississippi
92 15 and present Mississippi 15 and extending
93 southwesterly for approximately .033 miles, all within
94 the City of Newton; and

95 (b) That section of old Mississippi 15 located
96 between U.S. Highway 80 and Decatur Street, all
97 within the City of Newton.

98 SECTION 6. (1) The Mississippi Department of Transportation
99 may construct to department design standards, may perform such
100 reconstruction as may be required to existing highways and may
101 acquire by gift, purchase or eminent domain proceedings such
102 property as may be necessary to provide four (4) lanes for traffic
103 on and along the following location:

104 **Central District - Lauderdale County:**

105 Old U.S. Highway 45 beginning in the City of Meridian at
106 or near the old Coca Cola Company and extending
107 northerly approximately two (2) miles to just beyond the
108 Town of Marion.

109 (2) Lauderdale County, the City of Meridian and the Town of
110 Marion shall provide required right-of-way, remove all
111 encroachments and bring up to Transportation Department standards
112 existing roads and bridges along the route described in subsection
113 (1) of this section.

114 (3) The mileage of highway specifically designated in
115 subsection (1) of this section shall be under the jurisdiction of
116 the Mississippi Transportation Commission for construction and
117 maintenance and, together with the highways designated in Section
118 65-3-3, and all other laws adding links to the state designated
119 highway system, are declared to be the state highway system of
120 Mississippi.

121 SECTION 7. (1) (a) That portion of Mississippi Highway 25
122 from south of Becker, Mississippi, to the Monroe/Itawamba County
123 line shall be known as the "Monroe County Parkway."

124 (b) The Mississippi Department of Transportation shall
125 erect and maintain appropriate signs along and approaching that
126 portion of Mississippi Highway 25 described in this subsection.

127 (2) The portion of Mississippi Highway 25 described in
128 subsection (1) of this section shall be constructed by the
129 Mississippi Department of Transportation as a fully controlled
130 access road. The Mississippi Department of Transportation is
131 authorized to landscape the right-of-way of the portion of
132 Mississippi Highway 25 described in subsection (1) of this
133 section.

134 (3) It shall be unlawful to construct or erect any
135 advertisement or advertising structure within one thousand (1,000)
136 feet of the right-of-way of the portion of Mississippi Highway 25
137 described in subsection (1) of this section. This subsection
138 shall not apply to areas located within a municipality or to
139 signs, displays or devices located on a building which carry only
140 advertisements strictly related to the lawful use of the building.

141 (4) Mississippi Highway 25 shall intersect with U.S. Highway
142 278 at least five hundred (500) feet west of the eastern city
143 limits of the City of Amory as such city limits existed on January
144 1, 2000.

145 (5) The Mississippi Department of Transportation is
146 authorized to construct a four-lane connector road at a point at
147 or near the northern city limits of the City of Amory between old
148 Mississippi Highway 25 and the portion of Mississippi Highway 25
149 described in subsection (1) of this section.

150 **SECTION 2.** This act shall take effect and be in force from
151 and after its passage.