MISSISSIPPI LEGISLATURE  REGULAR SESSION 2005

By:  Senator(s) Kirby

To:  Highways and Transportation

SENATE BILL NO. 2003

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

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

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

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

Central District - Rankin County:
Mississippi 468 - That two-lane portion of Mississippi 468 (Flowood Drive) beginning at Fourth Street in Flowood and extending northeasterly to Mississippi Highway 475, a distance of approximately two and two-tenths (2.2) miles.

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

(3) The requirements under Section 65-1-8 related to the cost and expense of removal and relocation of utilities in the rights-of-way of state highways in municipalities with a population of ten thousand (10,000) or less shall apply to this section.
SECTION 2. (1) The Mississippi Department of Transportation shall number, maintain, take over and assume jurisdiction of the following described highway segment, subject to the conditions prescribed in subsection (2) of this section.

Central District — Rankin County:
West Rankin Parkway (New Route) — Beginning at Mississippi 25 in the City of Flowood, thence south to U.S. 80 at Pearson Road in the City of Pearl, all in Rankin County.

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

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

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

Southern District — Jones County:
Mississippi 590 — Beginning at Mississippi 11 and extending easterly to Mississippi 29, a distance of approximately 1.3 miles.
SECTION 4. (1) The following highway is designated as a state highway and is placed under the jurisdiction of the Mississippi Transportation Commission for construction and maintenance; and such highway, together with the highways designated in Section 65-3-3, and all other laws adding links to the designated state highway system, are declared to be the state highway system of Mississippi:

Central District - Newton County:

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

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

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

Central District - Newton County:

(a) That section of old Mississippi 15 beginning south of Interstate 20 at the intersection of old Mississippi 15 and present Mississippi 15 and extending southwesterly for approximately .033 miles, all within the City of Newton; and
(b) That section of old Mississippi 15 located between U.S. Highway 80 and Decatur Street, all within the City of Newton.

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

**Central District - Lauderdale County:**

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

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

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

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

(b) The Mississippi Department of Transportation shall erect and maintain appropriate signs along and approaching that portion of Mississippi Highway 25 described in this subsection.
(2) The portion of Mississippi Highway 25 described in subsection (1) of this section shall be constructed by the Mississippi Department of Transportation as a fully controlled access road. The Mississippi Department of Transportation is authorized to landscape the right-of-way of the portion of Mississippi Highway 25 described in subsection (1) of this section.

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

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

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

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