

By: Representatives Busby, Dixon

To: Transportation

HOUSE BILL NO. 824

1 AN ACT TO AMEND SECTION 65-31-5, MISSISSIPPI CODE OF 1972, TO  
 2 AUTHORIZE THE MISSISSIPPI TRANSPORTATION COMMISSION TO ENTER INTO  
 3 AGREEMENTS WITH OTHER ENTITIES TO OFFSET THE COSTS OF BUILDING OR  
 4 OPERATING A HOSPITALITY STATION; TO PROVIDE THAT THE COMMISSION  
 5 MAY ERECT CERTAIN SIGNS ACKNOWLEDGING THE AGREEMENT; TO AMEND  
 6 SECTION 49-23-3, MISSISSIPPI CODE OF 1972, TO EXEMPT SIGNS  
 7 ACKNOWLEDGING AN AGREEMENT TO OFFSET COSTS OF HIGHWAY HOSPITALITY  
 8 STATIONS FROM THE OUTDOOR ADVERTISING LAW; AND FOR RELATED  
 9 PURPOSES.

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

11 **SECTION 1.** Section 65-31-5, Mississippi Code of 1972, is  
 12 amended as follows:

13 65-31-5. (1) Both the \* \* \* Mississippi Transportation  
 14 Commission and the agricultural and industrial board in exercising  
 15 the powers granted in this chapter are hereby authorized to accept  
 16 private donations and public grants which may be available to  
 17 them, respectively, for the furtherance of the purposes of this  
 18 chapter. In addition thereto, either or both of such agencies may  
 19 expend, for the purposes of this chapter, any funds available to  
 20 them not otherwise specifically designated for a different public



21 purpose. Each of such agencies shall cooperate with other state  
22 agencies in carrying out the provisions of this chapter.

23 (2) The Mississippi Transportation Commission is further  
24 authorized to enter into agreements with other entities to offset  
25 all or part of the costs associated with building and/or operating  
26 any facility under this chapter. The Mississippi Transportation  
27 Commission may approve and erect, within its discretion, a  
28 suitable sign or other marker at the site of the facility to  
29 acknowledge such entities, provided the sign or marker is not  
30 visible from the highway. In addition, the commission may approve  
31 and erect signs on the right-of-way acknowledging the sponsorship,  
32 in accordance with applicable state and federal rules and  
33 regulations.

34 **SECTION 2.** Section 49-23-3, Mississippi Code of 1972,  
35 is amended as follows:

36 49-23-3. As used in Sections 49-23-1 through 49-23-29:

37 (a) "An unzoned commercial or industrial area" is an  
38 area determined by actual land uses which is commercial,  
39 industrial, marketing or mercantile, along a state controlled  
40 route and extending outward along one (1) side of such highway not  
41 more than eight hundred (800) feet from the edge of such activity.

42 (b) "Areas which are zoned industrial or commercial"  
43 means an area along a state controlled route that has been zoned  
44 or rezoned as industrial or commercial under the authority of any  
45 law of this state, which shall include, without limiting the



46 generality of the foregoing, zoning districts customarily referred  
47 to as "B" or business, "C" or commercial, "I" or industrial, "M"  
48 or manufacturing and "S" or service and all similar  
49 classifications.

50 (c) "Commission" means the Mississippi Transportation  
51 Commission.

52 (d) "Department" means the Mississippi Department of  
53 Transportation.

54 (e) "Erect" means to construct, build, raise, assemble,  
55 place, affix, attach, create, paint, draw, or in any other way  
56 bring into being or establish an advertising message.

57 (f) "Great River Road" means that portion of highway  
58 located within this state as officially designated by the Federal  
59 Highway Administration pursuant to the provisions of Title 23,  
60 United States Code, "Highways."

61 (g) "Information center" means an area or site  
62 established and maintained at safety rest areas for the purpose of  
63 informing the public of places of interest within the state and  
64 providing such other information as the commission may consider  
65 desirable.

66 (h) "Interstate system" means that portion of the  
67 national system of interstate and defense highways located within  
68 this state, as officially designated, or as may hereafter be so  
69 designated, by the commission, and approved pursuant to the  
70 provisions of Title 23, United States Code, "Highways."



71 (i) "Maintenance" means repair, replacement, change,  
72 renovation or improvement of any outdoor advertising sign as  
73 defined herein. Maintenance shall not include the removal or  
74 destruction of any outdoor advertising sign.

75 (j) "National highway system" means that portion of the  
76 national system of interstate and defense highways located within  
77 this state, as officially designated, or as may hereafter be so  
78 designated by the commission, and approved pursuant to the  
79 provisions of Title 23, United States Code, "Highways."

80 (k) "Outdoor advertising" or "outdoor advertising sign"  
81 means by outdoor signs, display, light, device, figure, painting,  
82 drawing, message, plaque, poster, billboard, or other thing which  
83 is designated, intended or used to advertise or inform, any part  
84 of which is visible from any place on the main-traveled way of a  
85 state controlled route. "Outdoor advertising" or "outdoor  
86 advertising sign" does not include any sign erected or caused to  
87 be erected by the Mississippi Transportation Commission under  
88 Section 65-31-5.

89 (l) "Primary system" means that portion of connected  
90 main highways, as officially designated by the commission, and  
91 approved pursuant to the provisions of Title 23, United States  
92 Code, "Highways."

93 (m) "Safety rest area" means an area or site  
94 established and maintained within or adjacent to the right-of-way



95 or under public supervision or control, for the convenience of the  
96 traveling public.

97 (n) "Scenic byway" means a highway that is designated  
98 as a scenic byway under Section 65-41-1 et seq. without regard to  
99 qualification as a Federal Scenic Byway, meaning that both "state"  
100 scenic byway as well as "federal" scenic byway shall be included  
101 under the general category of "scenic byway."

102 (o) "State controlled routes" means the Interstate  
103 System, the Federal Primary System, the National Highway System,  
104 the Great River Road and any scenic byways as defined herein along  
105 with any additions or deletions thereto as the Federal Highway  
106 Administration shall determine by federal statutes or regulations.

107 **SECTION 3.** This act shall take effect and be in force from  
108 and after July 1, 2016.

