

By: Representative Zuber

To: Military Affairs; Ports,
Harbors and Airports

HOUSE BILL NO. 304

1 AN ACT TO AMEND SECTION 61-3-15, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE THAT AN AIRPORT AUTHORITY SHALL HAVE THE POWER TO REQUIRE
3 NETWORK COMPANIES TO OBTAIN A PASS OR AUTHORIZATION FROM A
4 MILITARY FACILITY IN ORDER TO TRANSPORT PASSENGERS FROM THE
5 AIRPORT TO SUCH MILITARY FACILITY; TO AMEND SECTION 77-8-37,
6 MISSISSIPPI CODE OF 1972, TO CLARIFY THAT ANY LOCAL ENTITY
7 OPERATING AN AIRPORT SHALL HAVE THE SAME POWER; AND FOR RELATED
8 PURPOSES.

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

10 **SECTION 1.** Section 61-3-15, Mississippi Code of 1972, is
11 amended as follows:

12 61-3-15. An authority shall have all the powers necessary or
13 convenient to carry out the purposes of this chapter (excluding
14 the power to levy and collect taxes or special assessments)
15 including, but not limited to, the power:

16 (a) To sue and be sued, to have a seal and to have
17 perpetual succession.

18 (b) To purchase general liability insurance coverage,
19 including errors and omissions insurance, for its officials and
20 employees.



21 (c) To employ an executive director, secretary,
22 technical experts, and such other officers, agents and employees,
23 permanent and temporary, as it may require, and to determine their
24 qualifications and duties, and to establish compensation and other
25 employment benefits as may be advisable to attract and retain
26 proficient personnel. For regional airport authorities organized
27 under Section 61-3-7, such employment benefits may include payment
28 for all or part of dependent health insurance coverage.

29 (d) To execute such contracts and other instruments and
30 take such other action as may be necessary or convenient to carry
31 out the purposes of this chapter.

32 (e) To plan, establish, develop, construct, enlarge,
33 improve, maintain, equip, operate, regulate and protect airports
34 and air navigation facilities within this state and within any
35 adjoining state, including the acquisition, lease, lease-purchase,
36 construction, installation, equipment, maintenance and operation
37 of such airports or buildings, equipment and other facilities or
38 other property for the servicing of aircraft or for the comfort
39 and accommodation of air travelers or for any other purpose deemed
40 by the authority to be necessary to carry out its duties; to
41 develop, operate, manage or own and maintain intermodal facilities
42 to serve air and surface cargo and multimodal facilities to serve
43 highway and rail passenger transportation needs to ensure
44 interface and interaction between modes for cargo and passengers;
45 to construct, improve, and maintain means of ingress and egress to



46 airport properties from and over off-airport sites with approval
47 of the city or county in which the off-airport site is located; to
48 market, promote and advertise airport properties, goods and
49 services; and to directly purchase and sell supplies, goods and
50 commodities incident to the operation of its airport properties
51 without having to make purchases thereof through the municipal
52 governing authorities, and with the authority to utilize
53 design-build and construction manager at-risk methods of
54 construction in accordance with Sections 31-7-13.1 and 31-7-13.2.
55 For all the previously stated purposes, an authority may, by
56 purchase, gift, devise, lease, eminent domain proceedings or
57 otherwise, acquire property, real or personal, or any interest
58 therein, including easements in airport hazards or land outside
59 the boundaries of an airport or airport site, as are necessary to
60 permit the removal, elimination, obstruction-marking or
61 obstruction-lighting of airport hazards, to prevent the
62 establishment of airport hazards or to carry out its duties.

63 (f) To acquire, by purchase, gift, devise, lease,
64 lease-purchase, eminent domain proceedings or otherwise, existing
65 airports and air navigation facilities. However, an authority
66 shall not acquire or take over any airport or air navigation
67 facility owned or controlled by another authority, a municipality
68 or public agency of this or any other state without the consent of
69 such authority, municipality or public agency.



70 (g) To establish or acquire and maintain airports in,
71 over and upon any public waters of this state, and any submerged
72 lands under such public waters, and to construct and maintain
73 terminal buildings, landing floats, causeways, roadways and
74 bridges for approaches to or connecting with any such airport, and
75 landing floats and breakwaters for the protection thereof.

76 (h) To establish, enact and enforce ordinances, rules,
77 regulations and standards for public safety, aviation safety,
78 airport operations and the preservation of good order and peace of
79 the authority; to prevent injury to, destruction of or
80 interference with public or private property; to protect property,
81 health and lives and to enhance the general welfare of the
82 authority by restricting the movements of citizens or any group
83 thereof on the property of the authority when there is imminent
84 danger to the public safety because of freedom of movement
85 thereof; to regulate the entrances to property and buildings of
86 the authority and the way of ingress and egress to and from the
87 same; to establish fire limits and to hire firemen, including
88 aircraft fire and rescue and similar personnel, and to establish
89 and equip a fire department to provide fire and other emergency
90 services on any property of the authority; to regulate, restrain
91 or prohibit construction failing to meet standards established by
92 the authority; to appoint and discharge police officers with
93 jurisdiction limited to property of the airport authority and
94 authorization to enforce the ordinances, rules and regulations of



95 the authority, as well as the laws of the State of Mississippi,
96 and to issue citations for infractions of all of such ordinances,
97 rules, regulations, standards and laws of the State of Mississippi
98 returnable to the court of appropriate jurisdiction.

99 (i) To develop and operate an industrial park or parks
100 and exercise all authority provided for under Chapter 7, Title 57,
101 Mississippi Code of 1972.

102 (j) To attach, pursuant to the power and procedure set
103 forth in Chapter 33, Title 11, Mississippi Code of 1972, the
104 equipment of debtors of the authority.

105 (k) To enter into agreements with local governments
106 pursuant to Section 17-13-1 et seq.

107 (l) To render emergency assistance to other airports
108 within the United States at an aggregate cost of less than Twenty
109 Thousand Dollars (\$20,000.00) per emergency. The assistance
110 authorized in this paragraph must be rendered within ninety (90)
111 days after a state of emergency has been declared by the federal
112 government, or by the local or state government that has
113 jurisdiction over the area where the airport needing assistance is
114 located.

115 (m) To enter into joint use or similar agreements with
116 any department or agency of the United States of America or the
117 State of Mississippi, including any military department of the
118 United States of America or the State of Mississippi, with respect
119 to the use and operation of, or services provided at, any airport



120 or other property of the authority on the terms and conditions as
121 the authority may deem appropriate, including provisions limiting
122 the liability of the United States of America or the State of
123 Mississippi for loss or damage to the authority if the authority
124 determines that the limitation of liability is reasonable,
125 necessary and appropriate under the circumstances.

126 (n) To enter into mutual aid agreements with counties
127 and municipalities for reciprocal emergency aid and assistance in
128 case of emergencies too extensive to be dealt with unassisted; to
129 participate in the Statewide Mutual Aid Compact (SMAC) in
130 accordance with Section 33-15-19.

131 (o) To require transportation network companies to
132 obtain a pass or authorization from a military facility in order
133 to transport passengers from the airport to such military
134 facility.

135 **SECTION 2.** Section 77-8-37, Mississippi Code of 1972, is
136 amended as follows:

137 77-8-37. (1) Transportation network companies and
138 transportation network company drivers are governed exclusively by
139 this chapter and any rules promulgated by the commissioner
140 consistent with this chapter. A county, municipality or other
141 local entity may not:

142 (a) Impose a tax on, or require a license for, a
143 transportation network company, a transportation network company
144 driver or a vehicle used by a transportation network company



145 driver where the tax or licenses relate to providing prearranged
146 rides;

147 (b) Require a transportation network company or a
148 transportation network company driver to obtain a business license
149 or any other type of similar authorization to operate within the
150 jurisdiction; or

151 (c) Subject a transportation network company or a
152 transportation network company driver to any type of rate, entry,
153 operational or other requirements.

154 (2) Notwithstanding subsection (1) of this section, a
155 county, municipality or other local entity that owns or operates
156 an airport, may adopt reasonable regulations relating to the
157 duties and responsibilities on airport property of a
158 transportation network company or transportation network company
159 driver, including its ability to impose reasonable fees and
160 vehicle tracking requirements on a transportation network company
161 or its affiliated transportation network company drivers, but
162 excluding its ability to impose other fees, taxes, registration,
163 licensing or special insurance requirements on transportation
164 network company drivers, and excluding its ability to impose
165 requirements with respect to special markings or identification
166 other than that provided for in Section 77-8-11, and excluding its
167 ability to impose requirements for equipment.

168 (3) Nothing in this chapter shall be construed to prohibit a
169 local entity operating an airport from requiring a transportation



170 network company to obtain a pass or authorization from a military
171 facility in order to transport passengers from the airport to such
172 military facility.

173 **SECTION 3.** This act shall take effect and be in force from
174 and after July 1, 2024.

