

By: Senator(s) Dearing, Minor, Hewes

To: Highways and  
Transportation;  
Appropriations

SENATE BILL NO. 2058

1 AN ACT TO AMEND SECTION 65-3-97, MISSISSIPPI CODE OF 1972, TO  
2 AUTHORIZE ADDITIONAL FEDERAL FUNDS TO BE USED FOR THE 1987  
3 FOUR-LANE HIGHWAY PROGRAM; TO PROVIDE THAT SUCH FEDERAL FUNDS MAY  
4 BE UTILIZED IN LIEU OF STATE FUNDING THAT WOULD OTHERWISE BE  
5 UTILIZED FOR SUCH PROGRAM; TO PROVIDE THAT THE ANNUAL TOTAL AMOUNT  
6 OF FUNDING FOR THE 1987 FOUR-LANE HIGHWAY PROGRAM SHALL NOT BE  
7 LESS THAN IT WOULD HAVE OTHERWISE BEEN WITHOUT THE UTILIZATION OF  
8 SUCH ADDITIONAL FEDERAL FUNDS; TO REVISE THE DESCRIPTION OF A  
9 ROUTE IN PHASE 4 OF THE PROGRAM; AND FOR RELATED PURPOSES.

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

11 **SECTION 1.** Section 65-3-97, Mississippi Code of 1972, is  
12 amended as follows:

13 65-3-97. (1) In addition to and including all other  
14 highways designated as a part of the state highway system, there  
15 is hereby designated as a part thereof a four-lane highway system  
16 to connect various areas of the state with interstate and primary  
17 highways. The Mississippi Department of Transportation shall  
18 construct and reconstruct four-lane highways, that is, not less  
19 than two (2) lanes for traffic flowing in each direction, along  
20 the routes designated in this section.

21 (2) In the construction and reconstruction of the four-lane  
22 highway system designated in this section, the Mississippi  
23 Department of Transportation may utilize the roadway of any  
24 existing highway under its jurisdiction and control and shall do  
25 so when such utilization is feasible, provided that such highways  
26 which are utilized shall be constructed to current standards for  
27 such roadways. When it is not feasible to utilize existing  
28 designated highways, the Transportation Department shall relocate  
29 such highways and construct entirely new facilities whether in  
30 urban or rural areas.



31           (3) Construction of the four-lane highway system designated  
32 in this subsection shall commence, proceed and be performed by the  
33 Mississippi Department of Transportation strictly in accordance  
34 with the following set of priorities established for the letting  
35 of contracts on and along various segments thereof:

36           (a) Of the following group of highway segments not less  
37 than fifteen percent (15%) of all contracts necessary to be let  
38 for completion of all segments within the group shall be let by  
39 June 30, 1988, not less than thirty percent (30%) of such  
40 contracts shall be let by June 30, 1989, not less than fifty  
41 percent (50%) of such contracts shall be let by June 30, 1990, not  
42 less than seventy percent (70%) of such contracts shall be let by  
43 June 30, 1991, not less than ninety percent (90%) of such  
44 contracts shall be let by June 30, 1992, and one hundred percent  
45 (100%) of such contracts shall be let by June 30, 1993:

46           (i) Highway segments along or near U.S. 45  
47 beginning at the Clarke/Lauderdale county line and extending  
48 northerly to I-59; then beginning at Macon and extending northerly  
49 to Brooksville; then beginning at Columbus Air Force Base and  
50 extending northerly to Aberdeen; then beginning at U.S. 278 and  
51 extending northerly to Shannon; then beginning at Saltillo and  
52 extending northerly to Corinth.

53           (ii) Highway segments along or near U.S. 45A  
54 beginning at U.S. 82 and extending northerly to West Point; then  
55 beginning four (4) miles south of Okolona and extending northerly  
56 to Shannon.

57           (iii) A highway segment along or near U.S. 49W  
58 beginning at U.S. 49 and extending westerly through Yazoo City to  
59 the Yazoo River.

60           (iv) A highway segment along or near U.S. 49W  
61 beginning at Inverness and extending northerly to Indianola.



62 (v) A highway segment along or near U.S. 61  
63 beginning at Port Gibson and extending northerly to the four-lane  
64 south of Vicksburg.

65 (vi) Highway segments along or near U.S. 72  
66 beginning at or near Mt. Pleasant and extending southeasterly to  
67 Mississippi 5; then beginning at Walnut and extending  
68 southeasterly to Corinth; then beginning at Strickland and  
69 extending southeasterly to Burnsville.

70 (vii) Highway segments along or near U.S. 78  
71 beginning at Holly Springs and extending southeasterly to the New  
72 Albany bypass; then beginning at Mississippi 25 and extending  
73 southeasterly to Tremont.

74 (viii) Highway segments along or near U.S. 82  
75 beginning at I-55 and extending easterly to Kilmichael; then  
76 beginning at Eupora and extending easterly to Mathiston; then  
77 beginning at Mississippi 12 and extending easterly to the Alabama  
78 state line.

79 (ix) A highway segment along or near U.S. 84  
80 beginning at I-59 and extending easterly to the Jones/Wayne county  
81 line.

82 (x) Highway segments along or near U.S. 98  
83 beginning at Columbia and extending easterly to the Marion/Lamar  
84 county line; then beginning at U.S. 49 and extending southeasterly  
85 to the Alabama state line.

86 (b) Of the following group of highway segments not less  
87 than five percent (5%) of all contracts necessary to be let for  
88 completion of all segments within the group shall be let by June  
89 30, 1991, not less than ten percent (10%) of such contracts shall  
90 be let by June 30, 1992, not less than twenty-five percent (25%)  
91 of such contracts shall be let by June 30, 1993, not less than  
92 forty percent (40%) of such contracts shall be let by June 30,  
93 1994, not less than fifty-five percent (55%) of such contracts  
94 shall be let by June 30, 1995, not less than seventy percent (70%)



95 of such contracts shall be let by June 30, 1996, not less than  
96 eighty-five percent (85%) of such contracts shall be let by June  
97 30, 1997, and one hundred percent (100%) of such contracts shall  
98 be let by June 30, 1998:

99 (i) Highway segments along or near Mississippi 25  
100 beginning at Mississippi 471 and extending northeasterly to  
101 Mississippi 43; then beginning at the Winston/Oktibbeha county  
102 line and extending northeasterly to Starkville.

103 (ii) A highway segment along or near Mississippi  
104 63 beginning at the Jackson/George county line and extending  
105 northerly to Lucedale.

106 (iii) A highway segment along or near Mississippi  
107 302 beginning at I-55 in Southaven and extending easterly to U.S.  
108 72 at or near Mt. Pleasant.

109 (iv) Highway segments along or near U.S. 45  
110 beginning at the Alabama state line and extending northerly to the  
111 Clarke/Lauderdale county line; then beginning at Lauderdale and  
112 extending northerly to Macon; then beginning at Aberdeen and  
113 extending northerly to U.S. 278.

114 (v) A highway segment along or near U.S. 45A  
115 beginning at West Point and extending northerly to four (4) miles  
116 south of Okolona.

117 (vi) A highway segment beginning at Brooksville  
118 along or near U.S. 45 or U.S. 45A and extending northerly to U.S.  
119 82, such segment having been designated by the Transportation  
120 Commission pursuant to the provisions of paragraph (1)(c) of this  
121 section.

122 (vii) A highway segment along or near U.S. 49W  
123 beginning at the Yazoo River and extending northerly to Inverness.

124 (viii) Highway segments along or near U.S. 61  
125 beginning at the Louisiana state line and extending northerly to  
126 the Wilkinson/Adams county line; then beginning at Washington and  
127 extending northerly to Port Gibson; then beginning at Merigold and



128 extending northerly to Shelby; then beginning at the north end of  
129 the Clarksdale bypass and extending northerly to the Tennessee  
130 state line.

131 (ix) A highway segment along or near U.S. 72  
132 beginning at Mississippi 5 and extending southeasterly to Walnut.

133 (x) A highway segment along or near U.S. 78  
134 beginning at Tremont and extending southeasterly to the Alabama  
135 state line.

136 (xi) Highway segments along or near U.S. 82  
137 beginning at the Montgomery/Webster county line and extending  
138 easterly to Eupora; then beginning at Mathiston and extending  
139 easterly to Starkville.

140 (xii) Highway segments along or near U.S. 84  
141 beginning at Leesdale and extending easterly to Roxie; then  
142 beginning at Auburn Road and extending easterly to I-55; then  
143 beginning at the east end of the Brookhaven bypass and extending  
144 easterly to Prentiss; then beginning at the Jones/Covington county  
145 line and extending easterly to Horse Creek; then beginning at the  
146 Jones/Wayne county line and extending easterly to Waynesboro.

147 (xiii) Highway segments along or near U.S. 98  
148 beginning at the Pike/Walthall county line and extending easterly  
149 to Columbia; then beginning at the Marion/Lamar county line and  
150 extending easterly to the four-lane west of Hattiesburg.

151 (c) Of the following group of highway segments not less  
152 than ten percent (10%) of all contracts necessary to be let for  
153 completion of all segments within the group shall be let by June  
154 30, 1996, not less than twenty percent (20%) of such contracts  
155 shall be let by June 30, 1997, not less than forty percent (40%)  
156 of such contracts shall be let by June 30, 1998, and one hundred  
157 percent (100%) of such contracts shall be let by June 30, 1999:

158 (i) A highway segment along or near Mississippi 25  
159 beginning at Mississippi 43 and extending northeasterly to the  
160 Winston/Oktibbeha county line.



161 (ii) A highway segment along or near Mississippi  
162 63 beginning at Lucedale and extending northerly to U.S. 45 at  
163 State Line.

164 (iii) A highway segment along or near U.S. 61  
165 beginning at Shelby and extending northerly to U.S. 49.

166 (iv) A highway segment along or near U.S. 82  
167 beginning at Kilmichael and extending easterly to the  
168 Montgomery/Webster county line.

169 (v) Highway segments along or near U.S. 84  
170 beginning at Eddiceton and extending easterly to Auburn Road; then  
171 beginning at Prentiss and extending easterly to Collins; then  
172 beginning at Waynesboro and extending easterly to the Alabama  
173 state line.

174 (d) (i) Of the following group of highway segments not  
175 less than five percent (5%) of all contracts necessary to be let  
176 for completion of all segments within the group shall be let by  
177 June 30, 2002, not less than fifteen percent (15%) of such  
178 contracts shall be let by June 30, 2003, not less than twenty-five  
179 percent (25%) of such contracts shall be let by June 30, 2004, not  
180 less than thirty-five percent (35%) of such contracts shall be let  
181 by June 30, 2005, not less than forty-five percent (45%) of such  
182 contracts shall be let by June 30, 2006, not less than sixty  
183 percent (60%) of such contracts shall be let by June 30, 2007, not  
184 less than seventy percent (70%) of such contracts shall be let by  
185 June 30, 2008, not less than eighty percent (80%) of such  
186 contracts shall be let by June 30, 2009, not less than ninety  
187 percent (90%) of such contracts shall be let by June 30, 2010, and  
188 one hundred percent (100%) of such contracts shall be let by June  
189 30, 2011:

190 A. A highway segment along or near  
191 Mississippi 6 beginning at the Clarksdale bypass and extending  
192 easterly to Batesville.



193                   B. A highway segment along or near  
194 Mississippi 12 beginning at I-55 and extending easterly to  
195 Kosciusko.

196                   C. A highway segment along or near  
197 Mississippi 15 beginning at I-10 and extending northerly to  
198 Mississippi 26; then beginning at U.S. Highway 98 and extending  
199 northerly to the Mississippi/Tennessee state line.

200                   D. A highway segment consisting of two (2)  
201 lanes of construction and two (2) lanes of right-of-way  
202 acquisition along or near Mississippi 15 beginning at Mississippi  
203 26 and extending northerly to U.S. Highway 98.

204                   E. A highway segment along or near  
205 Mississippi 19 beginning at Collinsville and extending  
206 northwesterly to Kosciusko.

207                   F. Highway segments along or near Mississippi  
208 25 beginning at Aberdeen and extending northerly to Fulton; then  
209 beginning at the Alabama state line and extending northerly to  
210 U.S. Highway 72.

211                   G. A highway segment along or near U.S.  
212 Highway 61 beginning at Redwood and extending northerly to Leland.

213                   H. A highway segment along or near U.S.  
214 Highway 98 beginning at Meadville and extending southeasterly to  
215 Summit.

216                   I. A highway segment along or near  
217 Mississippi Highway 24 \* \* \* beginning at Woodville and extending  
218 easterly to McComb.

219                   J. A highway segment along or near  
220 Mississippi 35 beginning at the Mississippi/Louisiana state line  
221 and extending northerly to or near Foxworth.

222                   K. A highway segment along or near  
223 Mississippi 27 beginning at I-20 and extending southeasterly to  
224 I-55.



225 L. A highway segment along or near  
226 Mississippi 57 beginning at I-10 and extending northerly ten (10)  
227 miles to just north of the community of Van Cleave.

228 (ii) Contracts for the construction and/or  
229 reconstruction of highway segments designated within this group  
230 shall be let by the Transportation Commission strictly in  
231 accordance with the volume capacity of the highway segment. If  
232 the volume capacity of a highway segment is less than the volume  
233 capacity threshold at which the Transportation Department  
234 recommends the construction of a four-lane highway, then the  
235 Transportation Department shall make other improvements and  
236 highway modifications to such highway segment as needed, such as  
237 straightening and realignment of the existing roadway, the  
238 addition of passing lanes and the widening of existing lanes, and  
239 may acquire any necessary right-of-way for such purposes and for  
240 the purpose of future construction of four-lane highways along  
241 such segments.

242 (4) The construction priorities established in this section  
243 shall not be construed as prohibiting the completion of highway  
244 segments which, on July 1, 1987, are included in the current  
245 three-year plan under Section 65-1-141, and for which, on July 1,  
246 1987, grade and drainage has been completed or contracts for grade  
247 and drainage have been let.

248 (5) Contracts may be let and construction may commence and  
249 be performed concurrently on any of the highway segments  
250 designated in subsection (3) of this section, notwithstanding the  
251 priorities established for the letting of contracts on the various  
252 segments designated therein, provided that funds are available  
253 and, provided that, at all times, the percentages of all contracts  
254 required to be let on the segments designated in paragraphs  
255 (3) (a), (3) (b), (3) (c) and (3) (d), respectively, are, in fact, let  
256 no later than the dates established therein.





257           (6) (a) All highway construction and reconstruction  
258 authorized under this section shall be performed by contract let  
259 on competitive bid in the manner provided by statute; however,  
260 highway segments shall be constructed in lengths of not less than  
261 ten (10) miles.

262           (b) It is the intent of the Legislature that not less  
263 than ten percent (10%) of the amounts authorized to be expended  
264 for construction and reconstruction of the four-lane highway  
265 segments designated in this section shall be expended with small  
266 business concerns owned and controlled by socially and  
267 economically disadvantaged individuals. The term "socially and  
268 economically disadvantaged individuals" shall have the meaning  
269 ascribed to such term under Section 8(d) of the Small Business Act  
270 (15 USCS, Section 637(d)) and relevant subcontracting regulations  
271 promulgated pursuant thereto; except that women shall be presumed  
272 to be socially and economically disadvantaged individuals for the  
273 purposes of this paragraph (b).

274           (7) (a) Notwithstanding the provisions of subsection (6) (a)  
275 of this section, the Mississippi Transportation Commission may  
276 construct highway segments of less than ten (10) miles in length  
277 if:

278                   (i) The segment as described in subsection (3) of  
279 this section is less than ten (10) miles in length;

280                   (ii) The segment will connect two (2) existing  
281 four-lane highways;

282                   (iii) The segment will connect an existing  
283 four-lane highway with an incorporated municipality;

284                   (iv) The segment will connect an existing  
285 four-lane highway with a river, the state boundary or any other  
286 natural or man-made barrier;

287                   (v) For a particular project, the costs of  
288 constructing a single segment of at least ten (10) miles in length



289 would greatly exceed the aggregate costs of constructing two (2)  
290 or more segments; or

291 (vi) The segment is in an urban area and involves  
292 the completion of bypasses or other construction which will  
293 facilitate and accommodate major traffic movement.

294 (b) In any case in which the Transportation Commission  
295 authorizes the construction of a highway segment of less than ten  
296 (10) miles in length, the commission shall set forth and record in  
297 its official minutes explanation and justification therefor based  
298 upon one or more of the conditions prescribed in paragraph (7) (a)  
299 of this section.

300 (8) (a) To assist in defraying the costs and expenses for  
301 construction, reconstruction and relocation of the four-lane  
302 highway system described in this section, the following revenues  
303 shall be paid out of such funds made available to the  
304 Transportation Commission and the Transportation Department:

305 (i) From matched federal funds or other federal  
306 funds, Thirty-two Million Dollars (\$32,000,000.00) for fiscal year  
307 1988, Twenty-five Million Dollars (\$25,000,000.00) for fiscal year  
308 1989, Thirty Million Dollars (\$30,000,000.00) for fiscal year 1990  
309 and fifty percent (50%) of such federal funds for fiscal year 1991  
310 and each fiscal year thereafter; and

311 (ii) Five Million Dollars (\$5,000,000.00) from  
312 matched federal bridge replacement funds for fiscal year 1988 and  
313 each fiscal year thereafter when the segments proposed for  
314 construction contain bridges that are eligible for replacement  
315 under the Federal Aid Bridge Replacement Program.

316 (b) Federal funds in addition to the federal funds  
317 specified in paragraph (a) of this subsection (8) may be used for  
318 the construction, reconstruction and relocation of the four-lane  
319 highway system described in this section. Such federal funds may  
320 be utilized in lieu of state funding that would otherwise be  
321 utilized for such system; provided, however, that the annual total



322 amount of funding for the construction, reconstruction and  
323 relocation of the four-lane highway system described in this  
324 section shall not be less than it would have otherwise been  
325 without the utilization of such additional federal funds.

326 (9) The Transportation Department shall submit a report to  
327 the Legislature by January 10 of each calendar year setting forth  
328 the current status of the construction program set forth in this  
329 section to include, but not be limited to, the following  
330 information:

331 (a) Specific segments on which engineering is being  
332 performed or has been completed;

333 (b) Specific segments for which right-of-way has been  
334 acquired or is being acquired;

335 (c) Specific segments for which construction contracts  
336 have been let;

337 (d) Specific segments on which construction is in  
338 progress;

339 (e) Specific segments on which construction has been  
340 completed;

341 (f) Projections for completion of the next step on each  
342 segment;

343 (g) Revenue derived for such construction program from  
344 each revenue source contained in Chapter 322, Laws, 1987, and in  
345 Chapter 557, Laws, 1994;

346 (h) For each fiscal year beginning in 1994, a detailed  
347 cash flow projection by source of program activities and an  
348 estimate of when the program will encounter a funding shortage due  
349 to costs exceeding original projections;

350 (i) A schedule of all complete and open-to-traffic  
351 highway segments and the related total cost of each segment;

352 (j) A schedule of all highway segments on which all  
353 contracts necessary for completion of the segments were not let as  
354 of the date required by law;



355           (k) A complete recap of all program receipts by source,  
356 and of all disbursements for the prior fiscal year and cumulative  
357 totals since the inception of the program as compared to  
358 projections; and

359           (l) A statement from the Department of Transportation  
360 regarding the status of the funding of the program based on agency  
361 cost experience and projections for the future.

362           The report shall be deemed submitted when ten (10) copies are  
363 submitted to the Clerk of the House of Representatives and ten  
364 (10) copies are submitted to the Secretary of the Senate.

365           **SECTION 2.** This act shall take effect and be in force from  
366 and after July 1, 2002.

