

Mississippi Secretary of State

ADMINISTRATIVE PROCEDURES NOTICE FILING

AGENCY NAME Mississippi Department of Transportation		CONTACT PERSON Jim Jordan	TELEPHONE NUMBER 601-359-9776	
ADDRESS 401 N. West Street		CITY Jackson	STATE MS	ZIP 39201
EMAIL jjordan@mdot.ms.gov	SUBMIT DATE	Name or number of rule(s): Control of Outdoor Advertising Adjacent to State Controlled Routes		

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal:

This revision is necessary to put our agency in compliance with maintaining effective control of outdoor advertising in accordance with federal code. In not maintaining effective control, the agency runs the risk of have millions of dollars of federal funding withheld.

Specific legal authority authorizing the promulgation of rule: Miss. Code Ann. § 65-1-8(2) (Rev 2006)

List all rules repealed, amended, or suspended by the proposed rule: 37.I.7501.09002

ORAL PROCEEDING:

☐ An oral proceeding is scheduled for this rule on Date: _____ Time: _____ Place: _____

☒ Presently, an oral proceeding is not scheduled on this rule.

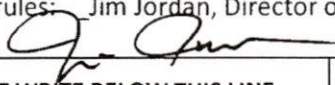
If an oral proceeding is not scheduled, an oral proceeding must be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) or more persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address, email address, and telephone number of the person(s) making the request; and, if you are an agent or attorney, the name, address, email address, and telephone number of the party or parties you represent. At any time within the twenty-five (25) day public comment period, written submissions including arguments, data, and views on the proposed rule/amendment/repeal may be submitted to the filing agency.

ECONOMIC IMPACT STATEMENT:

☐ Economic impact statement not required for this rule. ☒ Concise summary of economic impact statement attached.

TEMPORARY RULES	PROPOSED ACTION ON RULES	FINAL ACTION ON RULES
_____ Original filing _____ Renewal of effectiveness To be in effect in _____ days Effective date: _____ Immediately upon filing _____ Other (specify): _____	Action proposed: _____ New rule(s) ☒ Amendment to existing rule(s) _____ Repeal of existing rule(s) _____ Adoption by reference Proposed final effective date: ☒ 30 days after filing _____ Other (specify): _____	Date Proposed Rule Filed: _____ Action taken: _____ Adopted with no changes in text _____ Adopted with changes _____ Adopted by reference _____ Withdrawn _____ Repeal adopted as proposed Effective date: _____ 30 days after filing _____ Other (specify): _____

Printed name and Title of person authorized to file rules: Jim Jordan, Director of Central Services

Signature of person authorized to file rules: 

OFFICIAL FILING STAMP	DO NOT WRITE BELOW THIS LINE OFFICIAL FILING STAMP	OFFICIAL FILING STAMP
Accepted for filing by	 Accepted for filing by 27695MC	Accepted for filing by

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.



Michael Watson

SECRETARY OF STATE

CONCISE SUMMARY OF ECONOMIC IMPACT STATEMENT

An Economic Impact Statement is required for this proposed rule by Section 25-43-3.105 of the Administrative Procedures Act. This is a Concise Summary of the Economic Impact Statement which must be filed with the Secretary of State's Office.

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ADDRESS 401 N. West Street	CITY Jackson	STATE MS	ZIP 39201
EMAIL jjordan@mdot.ms.gov	DESCRIPTIVE TITLE OF PROPOSED RULE Control of Outdoor Advertising Adjacent to State Controlled Routes		
Specific Legal Authority Authorizing the promulgation of Rule: Miss. Code Ann. § 65-1-8(2) (Rev 2006)		Reference to Rules repealed, amended or suspended by the Proposed Rule: 37.I.7501.09002	

A. Estimated Costs and Benefits

1. Briefly summarize the benefits that may result from this regulation and who will benefit:
 - a. This revision is necessary to put our agency in compliance with maintaining effective control of outdoor advertising in accordance with federal code. In not maintaining effective control, the agency runs the risk of have millions of dollars of federal funding withheld.
2. Briefly describe the need for the proposed rule:
 - a. A Rule revision was necessary to establish an additional definition for a "Grandfather Sign" as all sign along the National Highway System as defined in federal statute will be placed under State Control due to mandates in federal legislation.
3. Briefly describe the effect the proposed action will have on the public health, safety, and welfare:
 - a. These revisions to language improve public welfare by expanding the routes in the state that are mandated to be controlled under the Code of Federal Regulation to include routes of the National Highway System that are not maintained by the state and by definition more effective as to not jeopardize Federal reimbursement funding.
4. Estimated Cost of implementing proposed action:
 - a. To the agency
☐ Nothing ☒ Minimal ☐ Moderate ☐ Substantial ☐ Excessive
 - b. To other state or local government entities
☐ Nothing ☒ Minimal ☐ Moderate ☐ Substantial ☐ Excessive
5. Estimated Cost and/or economic benefit to all persons directly affected by the proposed rule:
 - a. Cost:
☐ Nothing ☒ Minimal ☐ Moderate ☐ Substantial ☐ Excessive
 - b. Economic Benefit:
☐ Nothing ☒ Minimal ☐ Moderate ☐ Substantial ☐ Excessive
6. Estimated impact on small businesses:
 ☒ Nothing ☐ Minimal ☐ Moderate ☐ Substantial ☐ Excessive

- a. Estimate of the number of small businesses subject to the proposed regulation:
- b. Projected costs for small businesses to comply:
- c. Statement of probable effect on impacted small businesses:

7. The cost of adopting the rule compared to not adopting the rule or significantly amending the existing rule (check option):

- ☐ substantially less than ☐ moderately less than ☐ minimally less than
☐ the same as ☒ minimally more than ☐ moderately more than
☐ substantially more than ☐ excessively more than

8. The benefit of adopting the rule compared to not adopting the rule or significantly amending the existing rule (check option):

- ☐ substantially less than ☐ moderately less than ☐ minimally less than
☐ the same as ☐ minimally more than ☐ moderately more than
☒ substantially more than ☐ excessively more than

B. Reasonable Alternative Methods

1. Other than adopting this rule, are there less costly or less intrusive methods for achieving the purpose of the proposed rule?

- ☐ yes ☒ no

2. If yes, please briefly describe available, reasonable alternative(s) and the reasons for rejecting those alternatives in favor of the proposed rule. (Please see §25-43-4.104 for factors you must consider.)

C. Data and Methodology

1. Please briefly describe the data and methodology you used in making the estimates required by this form. An estimated 300 additional outdoor advertising signs along these routes will be placed in "grandfathered" status which has no immediate effect on the cost of these sign or property owners, however it does present limitations on what can be done to the sign moving forward. We estimate that a few sign owners will want to permit their signs if they meet current regulation which comes with some minimal costs such as an application fee (\$85) and an annual renewal fee (\$20) that would be due if they want their sign permitted. Since this permit process is not mandatory but elective, the exacting figures are unknown as to the economic impact.

D. Public Notice

1. Where, when, and how may someone present their views on the proposed rule and request an oral proceeding on the proposed rule if one is not already scheduled? The Maintenance Division of MDOT would field any questions regarding the Rule, however as part of this initiative, each and every sign owner this Rule revision will effect as well as all jurisdictional authorities

SIGNATURE 	TITLE Director of Central Services Division
DATE 9/24/2024	PROPOSED EFFECTIVE DATE OF RULE 10/24/2024