

OFFICE OF STATE AID ROAD CONSTRUCTION			S.O.P. NO. SA I-2-12
STANDARD OPERATING PROCEDURES			Page 1 of 2
Subject: S.O.P. RIGHT OF COUNTY TO STATE AID FUNDS			Distribution A, B, C, D, E
EFFECTIVE July 1, 2005	ISSUED July 1, 2005	SUPERSEDES Page 1 of 2 S.O.P. NO. SA I-2-12 EFFECTIVE: October 15, 2001	APPROVED J. Brooks Miller, Sr. STATE AID ENGINEER

1. STATUTORY RIGHT:

Section 65-9-13 of the Mississippi Code states that any County shall be entitled to receive State Aid and to expend State Aid monies....on State Aid roads in such County on projects approved for construction in such County, provided:

- 1.1. The State Aid System in such County has been designated and approved according to the provisions of the State Aid Act.
- 1.2. The County has employed a Registered Professional Engineer, who shall be designated the County Engineer and authorized to act for and on behalf of the County as a whole, and such other competent technical assistants as may be deemed necessary by the Board of said County.
- 1.3. An annual program shall have been filed by the County Engineer with the Office of State Aid Road Construction and approved by the State Aid Engineer, and in accordance with the uniform design standards and specifications promulgated by the State Aid Engineer; such program may be modified or revised in whole or in part by the State Aid Engineer, with the agreement of the County involved.
- 1.4. Such County has complied with all statutory requirements and rules and regulations promulgated by the State Aid Engineer.

2. STATUTORY AMENDMENTS:

In 1989, and again in 1992, the Legislature amended the code to permit, in certain instances, the expenditure of State Aid Funds on roads off the State Aid System to match Federal Bridge Replacement Funds.

- 2.1. Senate Bill 2121, passed in 1989, and now contained in Mississippi Code Section 65-9-17, provides that up to one-third ($\frac{1}{3}$) of the allocated State Aid revenue for each County may be used to match Federal off system bridge replacement funds on roads not on the State Aid System.
- 2.2. Senate Bill 2276, passed in 1989, and now contained in Mississippi Code Section 65-9-17, gives the State Aid Engineer authority to administer projects utilizing federal funds whether the project is on or off the State Aid System. This includes projects referred to in 2.1. as well as projects utilizing federal funds matched with other than State Aid Funds.
- 2.3. House bill 755, passed in 1992, and now contained in Mississippi Code Section 65-9-17, provides that State Aid Funds, subject to the limitation of Senate Bill 2121 referred to in 2.1, may be used to match federal bridge replacement funds to inspect and/or post bridges on County roads that are not on the State Aid System.

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- 2.4. Senate Bill 2318, passed in 2001, and now contained in Mississippi Code Section 65-9-17, provides that a County may spend up to twenty-five percent (25%) of its State Aid Funds on projects to construct or improve Local System Roads. Local System Roads are defined as being any road maintained by a Board of Supervisors that is not included on the County's State Aid or Federal Aid System.