



DELBERT HOSEMANN  
*Secretary of State*

**ECONOMIC IMPACT STATEMENT**

An Economic Impact Statement is required for this proposed rule by Section 25-43-3.105 of the Administrative Procedures Act. An Economic Impact Statement must be attached to this Form and address the factors below. A **PDF** document containing this executed Form and the Economic Impact Statement must be filed with any proposed rule, if required by the aforementioned statute.

AGENCY NAME Mississippi Department of Transportation	CONTACT PERSON Ray Goodman	TELEPHONE NUMBER 601-359-7101
ADDRESS P.O. Box 1850	CITY Jackson	STATE MS
EMAIL rgoodman@mdot.ms.gov	DESCRIPTIVE TITLE OF PROPOSED RULE Maintenance Takeover of County Roads and Municipal Streets	
Specific Legal Authority Authorizing the promulgation of Rule: Section § 65-1-8 (2)(c). et. seq. of the Mississippi Code of 1972 Annotated as amended	Reference to Rules repealed, amended or suspended by the Proposed Rule: 37.1.7501.05001	

SIGNATURE <i>Theresa Hancock</i>	TITLE Deputy Executive Director
DATE 8-20-13	PROPOSED EFFECTIVE DATE OF RULE 30 days after filing

1. Describe the need for the proposed action: Roadway Design Standards for the Mississippi Department of Transportation have been updated since the previous policy memorandum was issued on December 16, 1997 on the Maintenance Takeover of County Roads and Municipal Streets. A new policy memorandum adopting these changes, which was issued April 1, 2013, replaces the referenced memo set forth in the Rule.
2. Describe the benefits which will likely accrue as the result of the proposed action: There are safety benefits in regards to geometric design of roadways and lateral clearance that have to be met before the Mississippi Department of Transportation adopts the maintenance of a particular roadway from a local government.
3. Describe the effect the proposed action will have on the public health, safety, and welfare: Increased safety and welfare of the traveling public.
4. Estimate the cost to the agency and to any other state or local government entities, of implementing and enforcing the proposed action, including the estimated amount of paperwork, and any anticipated effect on state or local revenues: Their will be an initial minimal cost increase to local governments that wish have a facility taken over by the state, however that will be more than overshadowed by the cost savings of no longer maintaining the particular route which produces a net gain overall.
5. Estimate the cost or economic benefit to all persons directly affected by the proposed action: The would be no discernible economic benefit to the amendment to the rule, however, there is a substantial economic benefit to county and municipal governments of which it is feasible to take over the maintenance of a roadway facility.
6. Provide an analysis of the impact of the proposed rule on small business:
  - a. Identify and estimate the number of small businesses subject to the proposed regulation: No small business should be impacted due to this rule amendment
  - b. Provide the projected reporting, recordkeeping, and other administrative costs required for compliance with the proposed regulation, including the type of professional skills necessary

for preparation of the report or record: There should be no additional administrative cost associated with this rule amendment.

- c. State the probable effect on impacted small businesses: No foreseen effect on small business is anticipated.
- d. Describe any less intrusive or less costly alternative methods of achieving the purpose of the proposed regulation including the following regulatory flexibility analysis:
  - i. The establishment of less stringent compliance or reporting requirements for small businesses;
  - ii. The establishment of less stringent schedules or deadlines for compliance or reporting requirements for small businesses;
  - iii. The consolidation or simplification of compliance or reporting requirements for small businesses;
  - iv. The establishment of performance standards for small businesses to replace design or operational standards required in the proposed regulation; and
  - v. The exemption of some or all small businesses from all or any part of the requirements contained in the proposed regulations: No foreseen effect on small business is anticipated.
7. Compare the costs and benefits of the proposed rule to the probable costs and benefits of not adopting the proposed rule or significantly amending an existing rule: There are minimal cost benefits to the amendment to the rule itself
8. Determine whether less costly methods or less intrusive methods exist for achieving the purpose of the proposed rule where reasonable alternative methods exist which are not precluded by law: No other perceived methods exist.
9. Describe reasonable alternative methods, where applicable, for achieving the purpose of the proposed action which were considered by the agency: There are no perceived alternatives to updating the standards without updating the rule.
10. State reasons for rejecting alternative methods that were described in #9 above: N/A
11. Provide a detailed statement of the data and methodology used in making estimates required by this subsection: The methodology used in estimating economic impact include the minimal direct costs associated with upgrade in design criteria for county roads and municipal streets above the existing criteria. The new criteria only make adjustments to sight distance requirements and vertical curve K-values on rural collectors for counties and urban arterials and collectors for municipalities. Generalized estimations would vary from case-to-case and be dependent on the geometry of the particular roadway. It is a possibility that if criteria could not be adequately for a particular roadway that a maintenance takeover could not be granted without exception.