

HOUSE BILL 3627

By Weaver

AN ACT to amend Tennessee Code Annotated, Title 3 and Title 54, Chapter 1, relative to highway projects

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 54, Chapter 1, Part 1, is amended by adding a new section thereto, as follows:

Section 54-1-137.

(a) The commissioner shall submit annually to the transportation committees of the senate and house of representatives a list of highway and bridge projects to be undertaken by the department in the next fiscal year. Upon approval by the general assembly of such list and of the general appropriations act, no highway or bridge project may be removed from an approved list. Except as provided in subsection (c), new highway and bridge projects cannot be initiated until all highway and bridge projects on a prior list approved by the general assembly are substantially completed. For the purposes of this section, "substantial completion" means that degree of completion of a project upon attainment of which it can be used for the purpose for which it was intended. The general assembly shall approve a list of highway and bridge projects by a joint resolution of the bodies. Such joint resolution shall be adopted prior to the approval by the senate and house of representatives of the general appropriations act.

(b) The list of highway and bridge projects as provided in subsection (a) shall contain:

(1) The name of the project;

(2) The expected time to complete the project, including acquisition of rights of way, the moving of any utilities, the obtaining of necessary environmental permits, and construction;

(3) The projected total cost of the project; and

(4) A ranking of all such projects in order of their priority to the department.

(c)(1) This section shall not apply to maintenance, repair and emergency projects. For the purposes of this section an "emergency project" is a response by the department to an unforeseen event that affects the health, safety or well-being of persons. The commissioner shall notify the chairs of the transportation committees of the senate and house of representatives of emergency projects as soon as practicable.

(2) The department can perform engineering studies and obtain environmental permits on highway and bridge projects that are not on a list approved by the general assembly.

SECTION 2. This act shall take effect July 1, 2010, the public welfare requiring it, and shall apply to all highway projects initiated after June 30, 2011.