

SENATE BILL 1840

By Gardenhire

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 11; Title 29 and Title 54, relative to maintenance of a historic bridge on State Route 2 in Hamilton County.

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 the following as a new section:

**54-1-101.** For the historic bridge on State Route 2 / U.S. Highway 41 (Cummings Highway) in Hamilton County located between mile markers 4.684 and 5.567 (Bridge No. 33SR0020009), the governmental entity responsible for maintaining the historic bridge may restore, rehabilitate, or repair the historic bridge, including any underpass, tunnel, barrier, wall, right-of-way, or other facility erected upon or maintained within or adjacent to the historic bridge, to conform with any industry standards applicable to the historic bridge as of the date of its construction. If the historic bridge was constructed before the effective date of any applicable industry standards, the governmental entity shall conform to current industry standards applicable to the historic bridge; except, that the historic bridge is exempt from any standard requiring the installation of guardrails or other barriers.

SECTION 2. Tennessee Code Annotated, Title 29, Chapter 20, Part 2, is amended by adding the following as a new section:

**29-20-209.** A governmental entity's decision not to install guardrails or other barriers on a historic bridge described in § 54-1-101, is the exercise of a discretionary function for purposes of § 29-20-205(1), and the absence of guardrails or other barriers on a historic bridge pursuant to § 54-1-101, is not a defective or dangerous condition for purposes of § 29-20-204.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring  
it.