



2017-2018 General Assembly

# SENATE BILL 99: Appropriations Act of 2018, Sec. 34.15: Unanticipated Bridge or Road Closure/Waiver of Bidding Requirements

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| <b>Committee:</b>     |                           | <b>Date:</b>        | August 1, 2018                    |
| <b>Introduced by:</b> |                           | <b>Prepared by:</b> | Howard Marsilio<br>Staff Attorney |
| <b>Analysis of:</b>   | Sec. 34.15 of S.L. 2018-5 |                     |                                   |

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**OVERVIEW:** *Sec. 34.15 of S.L. 2018-5 defines the term "emergency" as it relates to the authority of the Department of Transportation to contract for construction, maintenance, or repair without complying with bidding requirements upon a determination of the Secretary of Transportation that an emergency exists.*

*This section became effective July 1, 2018.*

**CURRENT LAW:** The Department of Transportation may enter into construction, maintenance, or repair contracts without complying with bidding requirements upon a determination of the Secretary of Transportation that an emergency exists and that it is not feasible or not in the public interest to comply with the bidding requirements. The term "emergency" was not previously defined as it relates to this authority under G.S. 136-28.1(e).

**BILL ANALYSIS:** Section 34.15 defines the term "emergency" as an unanticipated bridge closure, road closure, or weight restriction that results in detours or deters the free movement of goods and services, and requires an estimated expenditure of ten million dollars (\$10,000,000) or less in construction, maintenance, or repair costs.

**EFFECTIVE DATE:** This section became effective July 1, 2018.

*Joshua Freeman, of the Bill Drafting Division, substantially contributed to this summary.*

Karen Cochrane-Brown  
Director

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