

72-6-108.5 Class B and C roads -- Federal-aid highway construction contract.

- (1) Subject to the requirements of 23 C.F.R. 1.3 and if requested by a local highway authority that is the sponsor of the federal-aid highway construction project, the department shall allow a local highway authority to be an additional contracting party for a federal-aid highway construction contract on a class B or C road along with the department.
- (2) If a local highway authority makes a request to be an additional contracting party under Subsection (1), the department may include the local highway authority as an additional bondholder or obligee on the performance bond.
- (3) Notwithstanding the provisions of this section, the department shall have the final authority to make decisions relating to a federal-aid highway construction contract on a class B or C road.

Enacted by Chapter 175, 2011 General Session