

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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HOUSE BILL 1548

Short Title: Design-Build Contract Materials.

(Public)

Sponsors: Representatives Cole (By Request); and Faison.

Referred to: Transportation.

April 18, 2007

A BILL TO BE ENTITLED

1 AN ACT TO ALLOW THE USE OF STEEL AND IRON FROM ANY SOURCE SO
2 LONG AS IT MEETS THE QUALITY REQUIRED BY THE SAFETY AND
3 CONSTRUCTION STANDARDS ESTABLISHED BY THE DEPARTMENT OF
4 TRANSPORTATION.
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6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** G.S. 136-28.7 reads as rewritten:

8 "**§ 136-28.7. Contract requirements relating to construction materials.**

9 (a) The Department of Transportation shall require that every contract for
10 construction or repair necessary to carry out the provisions of this Chapter shall contain
11 a provision requiring that all steel and iron permanently incorporated into the
12 construction or repair project be produced in the United States. ~~States.~~ States except as provided
13 in subsection (c) of this section.

14 (b) Subsection (a) shall not apply whenever the Department of Transportation
15 determines in writing that this provision required by subsection (a) cannot be complied
16 with because such products are not produced in the United States in sufficient quantities
17 to meet the requirements of such contracts or cannot be complied with because the cost
18 of such products produced in the United States unreasonably exceeds other such
19 products.

20 (c) The Department of Transportation shall apply this section consistent with the
21 requirements in 23 C.F.R. § 635.410(b)(4). However, subsection (a) of this section shall
22 not apply to steel and iron products used in State or municipal construction or repair
23 projects that are not funded by any federal monies. All steel and iron permanently
24 incorporated into any construction or repair project that is not produced in the United
25 States shall be of a quality that meets the safety and construction standards of the
26 Department.

27 (d) The Department of Transportation shall not authorize, provide for, or make
28 payments to any person pursuant to any contract containing the provision required by
29 subsection (a) unless such person has fully complied with such provision."

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SECTION 2. This act becomes effective January 1, 2008.