

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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HOUSE DRH80309-MA-216 (3/7)

Short Title: Design-Build Contract Materials.

(Public)

Sponsors: Representative Cole.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ALLOW THE USE OF STEEL AND IRON FROM ANY SOURCE SO LONG AS IT MEETS THE QUALITY REQUIRED BY THE SAFETY AND CONSTRUCTION STANDARDS ESTABLISHED BY THE DEPARTMENT OF TRANSPORTATION.

The General Assembly of North Carolina enacts:

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

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

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

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

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

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

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