

SECOND REGULAR SESSION

SENATE BILL NO. 738

91ST GENERAL ASSEMBLY

INTRODUCED BY SENATORS CAUTHORN AND RUSSELL.

Pre-filed December 1, 2001, and 1,000 copies ordered printed.

TERRY L. SPIELER, Secretary.

2495S.011

AN ACT

To amend chapter 227, RSMo, by adding thereto one new section relating to roadside maintenance.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 227, RSMo, is amended by adding thereto one new section, to be known as section 227.035, to read as follows:

227.035. 1. The director of the department of transportation is hereby authorized to enter into roadside maintenance agreements with private individuals to mow and maintain the portion of the highway between the shoulder and the right-of-way.

2. When considering whether to enter into a contract with a private individual, the director shall consider the following factors:

(1) Potential cost savings to the state that could result from a contract with a private individual rather than the department performing the task itself;

(2) Whether the individual has the proper equipment and training to maintain highway rights-of-way for safety and aesthetic purposes;

(3) Whether such an agreement will displace employees of the department of transportation; and

(4) Any other factor as may be determined by the commission.

3. Each roadside agreement entered into with a private individual shall describe the standards in which the individual must comply with in order to maintain a safe and aesthetically pleasing highway system.

4. No roadside maintenance agreement shall be obtained in an arbitrary,

capricious or discriminatory manner.

5. As used in this section, "roadside maintenance" includes, but is not limited to, mowing, herbicide spraying, erosion control, landscape maintenance, litter removal, fertilizing and brush control.

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