Revised County Uniform Highway Law to Go into Effect January 1st

The County Uniform Highway Law ("CUHL"), which serves as the primary law governing the office of chief administrative officer of the highway department ("CAO"), has been substantially revised by Public Chapter 689, effective January 1, 2013.

With the passage of the new law, significant changes have been made to the qualifications for the office of CAO. The CUHL has been amended to eliminate all exemptions and special provisions relating to qualifications. Now, with the exception of the big four counties, candidates in all counties must at least meet the minimum qualifications set out in T.C.A. § 54-7-104. Counties are authorized to enact more stringent qualifications by private act. Incumbents in office as of December 31, 2012 will not have to meet the revised qualifications as long as they continuously hold office.

In addition, the new law provides for a procedure for write-in candidates. Under the revised § 54-7-104, votes for write-in candidates, whether in a primary or general election, will only be counted for an individual who has been certified by the board prior to the date of the election. Persons wishing to receive a party nomination or to be elected by write-in ballot must file with the board affidavits and other evidence the board requires not later than sixty-four (64) days prior to the election.

Some sections of the CUHL were also amended to clarify that the CAO has general control and authority over the roads and the authority to employ legal counsel, regardless of the existence of an elected road commission.

Finally, a new provision has been added to § 54-7-201 which states that any person who injures or damages a bridge, highway, highway facility, highway structure or right-of-way shall be guilty of a Class C misdemeanor and any such person shall also be liable in a civil action for the cost of such injury or damage. This provision applies to all counties of the state.

The amended CUHL will take effect January 1, 2013.

Association of County Mayors

Strategic Leadership Conference

When: December 5–7, 2012

Where: Radisson Hotel at Opryland
2401 Music Valley Drive, Nashville, TN 37214

Please contact Kim Clark at CTAS for more information:
615-253-1151 or kim.clark@tennessee.edu
Calendar of Events

Dec 5-7 ACM Strategic Leadership Conference, Nashville
Dec 10 Renewal Conference (Optional Training), Franklin
Dec 11-12 Renewal Conference, Franklin

*For more detailed event information, click here.

New $2,500 Flexible Spending Account Limit for 2013

Starting in 2013, there will be a limit of $2,500 on pretax employee contributions to health care flexible spending accounts (FSAs). The IRS has issued guidance on the new limit in Notice 2012-40. If the plan provides a grace period (which can be up to 2 months and 15 days), unused contributions that are carried over from the prior year will not be subject to the new $2,500 limit, but all contributions made to a FSA in the plan year beginning in 2013 and after will be subject to the limitation.

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