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SECRETARY OF STATE
ADMINISTRATIVE RULES

Title 7--DEPARTMENT OF TRANSPORTATION
Division 10--Missouri Highways and Transportation Commission
Chapter 18--Contractor Disqualification for Misconduct

PROPOSED AMENDMENT

7 CSR 10-18.090 Procedure for Reinstatement of a Contractor Previously Disqualified.
The Missouri Highways and Transportation Commission is amending section (1).

COPY

PURPOSE: This proposed amendment clarifies the intent of reinstatement.

(1) Reinstatement. After any period of disqualification of a contractor has elapsed, a disqualified contractor may submit to the chief engineer documentation supporting its request for reinstatement as responsible. The chief engineer shall review the documentation and may request further documentation as *[s/he deems]* **deemed** necessary for possible reinstatement of the contractor, its affiliates, principals and successors as responsible. The chief engineer shall decide if the contractor shall be reinstated or not reinstated, and the chief engineer's decision regarding the requested reinstatement shall be final, subject to judicial review pursuant to section 536.150, RSMo.

*AUTHORITY: Art. IV, section 29, Mo. Const., sections 226.020, 226.150, 227.030, 227.100 and 227.210, RSMo (1994), 226.130, RSMo (Cum. Supp. 1996) and Title 49 Code of Federal Regulations part 29. * Original rule filed Dec. 12, 1996, effective June 30, 1997. Amended: Filed December 8, 2016.*

**Original authority: 226.020, RSMo (1939); 226.130, RSMo (1939), amended 1993, 1995; 226.150, RSMo (1939), amended 1977; 227.030, RSMo (1939); 227.100, RSMo (1939), amended 1963, 1967, 1969; and 227.210, RSMo (1939).*

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Department of Transportation, Pamela Harlan, Secretary to the Commission, PO Box 270, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

JOINT COMMITTEE ON

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