



July 22, 2024

---

# Chapter IX - Highways and Roads

---

Dear Reader:

The following document was created from the CTAS website ([ctas.tennessee.edu](http://ctas.tennessee.edu)). This website is maintained by CTAS staff and seeks to represent the most current information regarding issues relative to Tennessee county government.

We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other CTAS website material.

Sincerely,

The University of Tennessee  
County Technical Assistance Service  
226 Anne Dallas Dudley Boulevard, Suite 400  
Nashville, Tennessee 37219  
615.532.3555 phone  
615.532.3699 fax  
[www.ctas.tennessee.edu](http://www.ctas.tennessee.edu)

Table of Contents

<b>Chapter IX - Highways and Roads .....</b>	<b>. 3</b>
<b>Road Law .....</b>	<b>. 3</b>
<b>Private Acts of 1986 Chapter 148 .....</b>	<b>. 3</b>
<b>Highways and Roads - Historical Notes .....</b>	<b>. 7</b>

# Chapter IX - Highways and Roads

## Road Law

### Private Acts of 1986 Chapter 148

**SECTION 1.** There is hereby created and established a County Highway Commission for Carroll County. The Commission shall be composed of two (2) members who shall be called Road Supervisors, together with the County Mayor who shall, in his official capacity as the financial agent of Carroll County, serve as chairman of the County Highway Commission and preside over the meetings of the Commission. The Road Supervisors shall function as the chief administrative officers of the Highway Department for purposes of the County Uniform Highway Law, codified at Tennessee Code Annotated, Title 54, Chapter 7, Parts 1 and 2. The County Mayor, acting as chairman of the Commission, shall not be entitled or empowered to cast a vote in the deliberations of the Commission except for the purpose of breaking a tie vote. The chairman shall have the authority to call special meetings.

For the purpose of this Act, Carroll County shall be divided into two (2) Road Districts, based upon voting precincts in the County of Carroll, as follows:

ROAD DISTRICT No. 1 shall be composed of the following voting precincts:

- 1 Lavinia
- 2 Trezevant
- 5 Cedar Grove
- 6 Clarksburg
- 11 Buena Vista
- 16 Atwood
- 19 Concord
- 20 Westport

ROAD DISTRICT No. 2 shall be composed of the following voting precincts:

- 4 McLemoresville
- 7 Macedonia
- 8 Civic Center
- 9 Huntingdon City Hall
- 12 Bruceton
- 13 Hollow Rock
- 14 Vale
- 17 McKenzie Senior Citizens
- 18 Cannon
- 21 Bethel
- 22 McKenzie City Hall

In order to qualify for the office of Road Supervisor, who shall also function as chief administrative officer in either of the above road districts, a person shall:

- (1) Be a graduate of an accredited school of engineering, with at least two (2) years of experience in highway construction or maintenance;
- (2) Be licensed to practice engineering in Tennessee; or
- (3) Have had at least four (4) years' experience in a supervisory capacity in highway construction or maintenance; or a combination of education and experience equivalent to subdivision (a)(1) or (a)(2), as evidenced by affidavits filed with the Tennessee Highway Officials Certification Board ("Board").

In no event shall the Road Supervisor have less than a high school education or a general equivalency diploma ("GED").

Incumbent Road Supervisors in office on December 31, 2012, who have met the qualifications for the office of Road Supervisor applicable to them in effect at the time of their last election shall be able to succeed themselves in office without meeting the qualifications set forth in this section for as long as such incumbents continuously hold office. If such incumbent leaves office for any reason and then subsequently is elected or appointed to the office of Road Supervisor, such incumbent shall then be subject to the qualifications set forth in this section.

Satisfactory evidence of graduation from an accredited school of engineering shall be in the form of a diploma, transcript or other official documentation. Evidence of a candidate's engineering licensure shall

only be deemed to be satisfied if the candidate can provide the Board with a copy of the candidate's engineering license, including the candidate's license number. Any provision in this section requiring a Road Supervisor to have a high school diploma or GED shall only be deemed to be satisfied if the candidate can demonstrate that the candidate has obtained a high school diploma or its equivalent in educational training as recognized by the state board of education by providing the Board with the candidate's diploma, GED certificate or other official documentation.

Carroll County shall send a copy of this Act to the Board, which Board has and shall exercise the power to review the qualifications of all candidates for elected positions as chief administrative officer of the highway department pursuant to Tennessee Code Annotated, Section 54-7-104. Candidates for the office of Road Supervisor where the position is filled by popular election shall file affidavits and other evidence the Board requires with the Board not later than fourteen (14) days prior to the qualifying deadline for candidates in the election. After review of the applicable qualifications and standards, the Board shall certify to the coordinator of elections that a candidate's qualifications are acceptable prior to the candidate's name being placed on the ballot. The coordinator of elections shall forward the certification to the appropriate county election commission. A certificate of qualification from the Board shall be filed with the candidate's qualifying petition prior to the qualifying deadline. Notwithstanding any law to the contrary, votes for write-in candidates, whether in a primary convention or general election, shall 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.

At the regular general election to be held on the first Thursday in August 2014, and every four (4) years thereafter, the people qualified to vote within a Road District shall elect from qualified candidates who reside in that Road District, a Road Supervisor to serve a term of four (4) years or until a successor has been elected and qualified. The persons who presently serve as Highway Commissioners shall serve as such until September 1, 2014 or until the Road Supervisors to be elected in the general election on the first Thursday in August of 2014 have been elected and qualified. No person shall be eligible to be elected as a Road Supervisor of a Road District unless he is a resident of such Road District. No member of the County Legislative Body shall be eligible to be elected as a Road Supervisor. Candidates for Road Supervisor shall be nominated in the same manner as candidates for other county offices.

Road Supervisors are expressly prohibited from being interested, either directly or indirectly, financially or otherwise, in the letting or acceptance of any contract, the sale of any material, or in the purchase of any tools, machinery, equipment, supplies, or appliances of any kind by the County Highway Commission and are subject to the prohibitions and penalties set forth in Tennessee Code Annotated, Section 54-7-203. If a Road Supervisor violates these prohibitions against conflict of interest, he shall be removed from office by the County Legislative Body in the manner required by the ouster provisions codified at Tennessee Code Annotated, Title 8, Chapter 47.

If a Road Supervisor ceases to be a resident of the Road District for which he is elected, moves out of the County, vacates his office for any other reason, or becomes disqualified to serve, the County Legislative Body shall declare his office to be vacant and shall elect in its first meeting, after such vacancy occurs, a Road Supervisor to fill the office until the expiration of the term.

As amended by: Private Acts of 2013, Chapter 2

**SECTION 2.** Each Road Supervisor shall be responsible for the building, maintenance, and repair of that part of the road system in his Road District, except that it shall not be his duty or responsibility to maintain or repair any roads or road systems which are classified as state or federal roads.

Each Road Supervisor shall supervise the actual work and labor upon the roads, bridges, and levees within his District.

Each Road Supervisor shall, within his District, exercise complete power and authority to employ or discharge all employees or laborers as may be deemed necessary by him for the building, maintenance, and repair of all roads, bridges, culverts, and levees.

The Road Supervisors shall check the time clock each day to make certain that all employees are at work. The Road Supervisors shall authorize a secretary to perform this duty in an efficient manner. The secretary shall maintain a complete record of such information for each Road Supervisor in permanent record books or ledgers which are suitable for this purpose.

Under no circumstances shall any Road Supervisor under the provisions of this Act enter into any contract or agreement of contract for the purchase of any equipment, machinery, supplies, repairs, or any other item of purchase of any character or kind, but all purchases which may be required within his district shall be submitted in proper form on requisition and purchase order to the Chairman of the Highway Commission.

The Road Supervisors shall be held accountable to the Carroll County Legislative Body for the efficient and

faithful performance of their duties.

Each member of the County Highway Commission shall, before entering upon his duties, take and subscribe to a suitable oath for the faithful performance of his duties, and each shall execute a good and solvent bond upon assuming the duties of his office, which bond shall be in the penal amount of five thousand dollars (\$5,000), conditioned upon the faithful discharge of his responsibilities and made payable to the State of Tennessee for the use and benefit of Carroll County, Tennessee.

As full pay and compensation for their services, the members of the County Highway Commission shall be paid an amount per year as set forth in the annual budget by the Carroll County Legislative Body, which shall be paid by warrant drawn against the General Road Fund of Carroll County.

It shall be the duty of the Road Supervisor to prepare and submit to the County Legislative Body, and to the Department of Transportation, an annual work program to be financed under the state aid assistance program.

As amended by: Private Acts of 2013, Chapter 2

**SECTION 3.** The Highway Commission may enter into any contract for the construction, maintenance or improvement of any road or bridge, or any other kind of road work, and it shall be the Commission's duty to see that all contracts are properly carried out. In letting contracts for any and all kinds of road work, the Commission shall take due precaution to see that the interest of the County is preserved. It shall take bond of any contractor. All machinery, tools, supplies, and equipment of any nature shall be bought according to the Purchasing Law of Carroll County. All bids requiring competitive bids shall be sealed and submitted to the County Highway Commission at its office, and they shall be opened and announced by the Commission in the presence of a majority of its members at the hour and date stated in the advertisement. Any citizen shall be entitled to be present at the opening of such bids and to inspect them. All such purchases shall be awarded to the lowest bidder or bidders where such bidder offers materials of suitable quality and quantity. If the bids so submitted are deemed excessive or otherwise unsatisfactory, the Commission shall have authority to reject all bids and advertise again in the same manner for new bids. Any purchases made without compliance with the Purchasing Law of Carroll County shall be illegal, void and unenforceable, except in genuine cases of emergency where it is necessary to purchase materials or parts speedily to avoid great inconvenience to the public. The Commission shall also have authority to enter into any contract or agreement with the Department of Transportation of the State of Tennessee for the construction of any County road and may enter into contract or agreement with the United States Department of Transportation. It shall be the Commission's duty to cooperate with and encourage the expenditure of any state and federal road funds in Carroll County and it may appropriate any funds at its disposal for any kind of road work in Carroll County to be expended under the direction of the Federal or the State Departments of Transportation. Any Road Supervisor who violates any provision of the Purchasing Law of Carroll County shall be guilty of a misdemeanor and punishable under the criminal laws of the State and shall be subject to ouster from office under the ouster laws of this State.

**SECTION 4.** The members of the Carroll County Legislative Body are expressly authorized and empowered to set forth the hourly wages of the employees of the Carroll County Highway Department in the annual Highway Department budget for each fiscal year.

**SECTION 5.** The members of the Highway Commission shall keep a time book and a daily card checking system upon which the name of each employee of the Highway Commission shall appear together with his hourly wage, the kind of work done, where such labor was performed, and the number of hours of labor actually performed per pay period. The Road Supervisors shall report this detailed information each pay period to the Chairman of the Highway Commission who shall approve the report if it is correct and shall cause checks or vouchers to be issued out of the General Road Fund of Carroll County in payment for the work done and shall cause proper entries to be made in the permanent books of the Highway Commission.

For the purpose of this Act, a working day is defined to be eight (8) working hours.

**SECTION 6.** The County Highway Commission and the Highway Committee may lay out and classify all public roads of Carroll County, divide the roads into sections or divisions as may be necessary and proper for their efficient construction and maintenance, and make or have made a map or maps of all roads, highways, bridges, culverts and levees within the Carroll County Road System, all of which shall be preserved and kept in well-bound permanent record books which are suitable for this purpose.

The Carroll County Highway Commission and Highway Committee shall have the right to open, close, change, restore, or widen any of the public roads of the County and to procure rights-of-way for such roads, either by purchase, gift, or condemnation. In the event that any right-of-way shall be procured by purchase or gift, deed shall be taken to such right-of-way in the name of Carroll County, and the deed shall be duly recorded. If a right-of-way is not secured by purchase or gift, the County Highway Commission shall vote to condemn such right-of-way, and the County shall proceed with condemnation proceedings in the form and manner now laid down in the general laws of the State of Tennessee which

govern such matters.

**SECTION 7.** Any and all monies, taxes, fees, or other revenues from whatever source belonging to the road or highway funds of Carroll County, together with Carroll County's apportionment of the gasoline tax from the State of Tennessee, shall be paid into the hands of the Trustee of Carroll County who shall account for such funds and deposit them in an account kept separate and apart from all other funds, to be known and designated as the General Road Fund of Carroll County.

The County Trustee shall under no circumstances at any time honor any drafts, checks, or vouchers, or expend or permit to be expended any of the funds deposited in the General Road Fund unless such expenditure is properly authenticated and authorized upon an order or warrant signed by the County Executive setting out the amount of the expenditure both in words and figures. The County Trustee shall be permitted the same compensation as he is now allowed by law for the handling, receiving and expending of funds of the General Road Fund.

The County Trustee shall, before payment of funds from the General Road Fund of Carroll County, first make certain that each warrant to be paid out of the General Road Fund has been plainly marked with the words "Road Warrant".

The County Highway Commission is hereby expressly authorized and empowered to employ a secretary and bookkeeper. The secretary and bookkeeper shall be paid a salary as set forth by the Carroll County Legislative Body in the annual Highway Department Budget each fiscal year.

Not more than fifty-five percent (55%), nor less than forty percent (40%) of the County Highway Revenues received from the gasoline tax fund can be spent in any one of the two road districts in any fiscal year. Nothing in this section, shall be construed to include funds that may be received from the Federal Government as its participation in any highway project, nor from the State of Tennessee under the State Aid System or from such other funds that may be furnished the County Highway Commission by the State of Tennessee as a participation in the road system in Carroll County which will come from funds other than the gasoline tax.

As amended by:

Private Acts of 2013, Chapter 2

It shall be the duty of the County Legislative Body of Carroll County to investigate thoroughly and efficiently the County Highway Commission's receipts and disbursements at least once a year and at the end of a Road Supervisor's term of office. The County Legislative Body shall appoint a committee to make this investigation and to report its findings to the County Legislative Body. The expense of any such audit shall be borne out of County Highway Funds.

**SECTION 8.** It shall be the further duty of the County Highway Commission to meet in open and public session at the Courthouse in Huntingdon on the second Monday in each month for the necessary and proper discussion and solution of whatever problems and questions as may arise in the conduct of the affairs of the County Highway Commission.

**SECTION 9.** Each Road Supervisor shall, not less than seven (7) days before the first day of each month, make out a full, complete and detailed account of all monies owed by the Highway Commission to the employees under his supervision and control and for all materials and supplies of whatever character and kind. He shall file the report with the Chairman of the Highway Commission.

**SECTION 10.** The Secretary of the County Highway Department shall before each monthly regular meeting of the Carroll County Legislative Body, make out a simple itemized statement of the amount of work done, the road district in which such work was done, the amount of money spent for each item, such as gas, oil, labor, materials and salaries, and any and all other expenditures, all of which shall be sworn to by the members of the Highway Commission and filed with the County Clerk.

**SECTION 11.** Chapter 584 of the Public Acts of 1951 as amended by Chapter 323 of the Private Acts of 1957, Chapter 315 of the Private Acts of 1967, Chapter 186 of the Private Acts of 1969, Chapter 258 of the Private Acts of 1972, Chapter 322 of the Private Acts 1974, Chapter 175 of the Private Acts of 1975, Chapter 15 of the Private Acts of 1977, Chapter 309 of the Private Acts of 1978, Chapter 33 of the Private Acts of 1979, Chapter 199 of the Private Acts of 1980, Chapter 42 of the Private Acts of 1981, Chapter 83 of the Private Acts of 1983, Chapter 199 of the Private Acts of 1984, and all other acts amendatory thereto is repealed.

**SECTION 12.** This Act shall have no effect unless it is approved by a two-thirds (2/3) vote of the county legislative body of Carroll County.

Its approval or nonapproval shall be proclaimed by the presiding officer of the county legislative body and certified by him to the Secretary of State.

**SECTION 13.** For the purpose of approving or rejecting the provisions of this Act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective

upon being approved as provided in Section 12.

Passed: March 31, 1986.

## Highways and Roads - Historical Notes

### **Highways and Roads**

The following is a listing of acts which once had some effect upon the county road system in Carroll County, but which are no longer operative. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Private Acts of 1827, Chapter 120, authorized the Carroll County Court to appoint commissioners to establish toll bridges and causeways, one across Sandy River on the mail route between Nashville and Jackson, one across Beaver Creek at or near Huntingdon, and one across Crooked Creek at or near Flemming's Mill on the road between Huntingdon and Paris. The County Court was authorized to apply the county's navigation tax to the building of bridges and causeways in the county.
2. Private Acts of 1835-36, Chapter 119, appointed David Green, Robert R. Moore and Stephen Eason as additional commissioners on behalf of the state to oversee the operation of the toll bridge and turnpike road across Sandy River and bottom in Carroll County which had been granted to Robert Jetton in 1830.
3. Acts of 1851-52, Chapter 311, authorized the Quarterly County Court in Carroll County to grant a charter to an individual or company to take charge of and keep in order the Huntingdon and Beaver Creek Turnpike Road, extending from the corporate line of Huntingdon one mile on the Jackson Road.
4. Acts of 1901, Chapter 136, was a statewide road law for all counties in Tennessee under 70,000 in population. At its January meeting, the County Court in each county would select one road commissioner for each road district in the county, which districts were coextensive with the county civil districts. The act detailed the duties of the road commissioners and the road section overseers, who would be appointed by the commissioners. Male residents of the county were subject to road work but could commute the duty by paying a fee. Prisoners of the county were required to work on the roads. A road tax was authorized not to exceed 20¢ on every \$100 of taxable property.
5. Acts of 1907, Chapter 426, applied to both Carroll and Hawkins Counties by population classification, and provided for the election of one road commissioner in each county to serve a two year term and have general supervision over all highways and bridges in his county. Compensation for the road commissioners was set at \$3.50 per day for each day of service, not to exceed one hundred days of service in any one year. A male county resident subject to road duty could be released from those duties by paying 75¢ for every day he was released from duty. The act authorized a tax levy of 10¢ - 20¢ on every \$100 of taxable property outside incorporated towns, for road purposes. This act abolished the office of Road Overseer and assigned the authority and power once held by the Road Overseer to the contractor for each section of highway. Roads were divided into four classes according to width.
6. Private Acts of 1911, Chapter 24, amended Acts of 1907, Chapter 426, to change the population classification to exclude Hawkins County, and to provide that all highways in Carroll County would be worked by contract. Sealed proposals to keep the roads in repair were to be submitted to the County Judge in February of each year. The contract would be awarded to the lowest responsible bidder for a term of one year.
7. Private Acts of 1915, Chapter 642, directed the Quarterly County Court in Carroll County at its July 1915 term to elect a road commissioner for each civil district in the county, to serve until January 1917. At the August 1916 election, the qualified voters in each road district were to elect a commissioner from their district to take office on January 1, 1917 and serve a term of two years. Each road commissioner was empowered to supervise the overseers and contractors and all public roads in his district. All males between the ages of 21 and 50 years of age, not falling within the exclusions set forth in the act, were subject to road duty of five days each year unless they provided a substitute or paid \$1 per day for each day not worked.
8. Private Acts of 1917, Chapter 428, directed the County Court to elect three road commissioners to have general supervision over all highways and bridges in Carroll County. The commissioners were to serve two-year terms and would be paid \$3 per day as compensation for services rendered, not to exceed 35 days of service in any one year. All males between 21 and 50 years

of age and not otherwise exempt were subject to road duty for 8-12 days each year, but could be released from duty by paying 50¢ for each day not worked. The act also authorized an ad valorem tax for road purposes on all property in the county and outside the incorporated towns, in an amount not less than 10¢ and not more than 20¢ on every \$100 worth of taxable property. All roads were to be worked by one-year contracts for which sealed bids were required. The act abolished the office of road overseer and assigned to the contractor the duties once held by the road overseer. Roads were divided into four classes according to width.

9. Private Acts of 1919, Chapter 703, directed the county court to elect one road contractor for each for each civil district in Carroll County. The road contractors would serve two-year terms. Roads were to be worked by contract, awarded to the lowest bidder either on sealed bids or by private contract. All males between the ages of 21 and 50 were required to perform road duty 6 days each year, but could be released by paying the Contractor \$2.50 per day. This act authorized a road tax on all property outside of the incorporated towns, in the amount of not less than 10¢ and not more than 20¢ on every \$100 of taxable property. Road commissioners elected under the prior act were allowed to serve until their terms expired.
10. Private Acts of 1921, Chapter 187, directed the county court to elect a road commissioner for each civil district in Carroll County. Each district road commissioner had charge of all the roads and bridges in his civil district. Roads were to be worked by contract, with the road commissioners to award contracts "in such way as they deem best". All males between 21 and 50 years of age were required to perform road duty 6 days each year, but could be released from duty by paying \$1 for each day not worked. No provision was made for a road tax.
11. Private Acts of 1923, Chapter 592, divided Carroll County into 12 road districts and created a 13-member County Highway Board. One member of the board would be elected from each road district and the County Judge would serve as the 13th member and chairman of the board. Board members were to receive \$3 per month as compensation for their services. Roads were to be classified as either county pikes or district roads. The act authorized a road tax not to exceed 5 mills on all taxable property, and levied a road tax of \$4 per person on all male citizens between the ages of 21 and 50. Workhouse prisoners were placed under the control of the board to perform road work. The board was given the power of condemnation for road purposes. The board was prohibited from spending more than the funds available from the current year's tax levy and any unexpended funds from prior years.
12. Private Acts of 1925, Chapter 524, divided Carroll County into 24 road districts and created a 25-member County Highway Board composed of one member from each of the 24 road districts and the County Judge, who would serve as chairman. Board members would receive \$3 for each meeting they attended or \$2 per day for services rendered not to exceed nine days or \$18. The County Court was authorized to levy a road tax not to exceed 5 mills upon all taxable property. A road tax of \$6 per capita was assessed on all males between the ages of 21 and 50. A tax of \$5-10 was levied on wagons. The board was given the power of condemnation for road purposes. Competitive bidding was required for road contracts. The board was prohibited from spending more than the funds available from the current year's tax levy and any unexpended funds from prior years. The board was authorized to regulate maximum weight for vehicles on the public roads.
13. Private Acts of 1927, Chapter 752, abolished the office of district road commissioner and created a "bridge, levee and road commission" composed of three popularly elected members. John Cawhorn, C. B. Kemp and R. L. Bryant were named to serve as commissioners until the next election. The salary of the commissioners was \$25 per month. The County Judge or Chairman was given final authority to over most functions of the commission. All males between 21 and 50 years of age were required to perform road duty for at least 8 days each year, or pay \$6 (75¢ per day not worked). A bridge and levee supervisor was to be elected by the commission upon recommendation of the County Judge or Chairman. The act authorized a road tax not exceeding 50¢ on every \$100 of taxable property. An annual tax was levied on cars (\$3), on trucks and buses (\$5), on wagons with 2 horses or mules (\$5), and on wagons with over 2 horses or mules (\$7).
14. Private Acts of 1929, Chapter 106, amended Private Acts of 1927, Chapter 752, to repeal the road tax levied on automobiles, buses and trucks.
15. Private Acts of 1931, Chapter 662, divided Carroll County into three road districts and created a three-member County Highway Commission, with one member to be popularly elected from each road district. The County Judge served as an ex officio member and chairman of the commission. Each commissioner was to receive \$10 per day as compensation for each meeting attended. The commission was authorized to employ a bridge and levee supervisor, to be paid up to \$125 per



- month. A bridge and levee tax was authorized in an amount up to 40¢ per \$100 property valuation. The commission was also authorized to employ a road supervisor to supervise all work on roads and bridges in the county. The supervisor was to serve a term not over four years with a salary not to exceed \$125 per month. One of the supervisor's essential job qualifications was that he possess a reputation for abstaining from the use of intoxicating liquor. This act was repealed by Private Acts of 1949, Chapter 70.
16. Private Acts of 1933, Chapter 579, divided Carroll County into two road districts and created a County Highway Commission composed of one member popularly elected from each district, and the County Judge serving as an ex officio member and chairman. Each commissioner was to receive 40¢ per hour as compensation, not to exceed 10 hours per day. The commission was authorized to employ no more than one road foreman for every two civil districts within a road district. The road foremen would be paid \$2 per day, and could employ laborers to be paid \$1.50 per day. All males between the ages of 21 and 50, living outside incorporated cities and towns, were required to work on the roads for three 8-hour days each year or pay \$4. The commission was authorized to employ a secretary at a salary of up to \$60. This act was held unconstitutional in Traywick v. Gilkey, 71 S.W.2d 676 (Tenn. 1934).
  17. Private Acts of 1937, Chapter 26, amended Private Acts of 1931, Chapter 662, to repeal the provisions which authorized the employment of a bridge and levee supervisor and which authorized the Carroll County Court to levy a tax for bridge and levee purposes.
  18. Private Acts of 1937, Chapter 459, amended Private Acts of 1931, Chapter 662, to increase the maximum salary of the road supervisor to \$150 per month and the maximum age for the position to 70.
  19. Private Acts of 1939, Chapter 595, amended Private Acts of 1931, Chapter 662, to require competitive bids, with the purchase to be made from the lowest bidder, for all purchases of \$50 or more. This act was repealed by Private Acts of 1947, Chapter 218.
  20. Private Acts of 1947, Chapter 268, amended Private Acts of 1931, Chapter 662, to increase the maximum salary of the road supervisor to \$175 per month and the maximum compensation of road laborers to 60¢ per hour.
  21. Private Acts of 1949, Chapter 70, repealed Private Acts of 1931, Chapter 662.
  22. Private Acts of 1949, Chapter 106, divided Carroll County into five road districts and created a County Highway Commission composed of six members serving two-year terms. One commissioner would be popularly elected from each road district and one commissioner, who would serve as chairman, would be elected by the county at large. Each commissioner was to receive \$10 per day for each meeting attended, not to exceed twenty days in any one year. The office of road supervisor was created, to be elected by the qualified voters in the county, and to be paid \$2,400 per year. Competitive bidding with sealed bids was required for purchases over \$100. This act was repealed by Private Acts of 1951, Chapter 5.
  23. Private Acts of 1951, Chapter 141, divided Carroll County into four road districts and created a County Highway Commission composed of four members, with one commissioner to be elected from each road district, and the County Judge to serve as chairman. Neal Traywick, James Otis Cawthan, Ben Smith and Edd Pritchard were named to serve as the first members of the commission. The commissioners were responsible for maintenance, building and repair of the road system within their respective districts and were paid \$200 per month as compensation for their services. Separate accounts were required to be maintained for each road district. The act authorized the commission to employ a bridge and levee supervisor to be paid \$1.10 per hour, not to exceed \$175 per month. The commissioners were required to work on the roads in their districts in the same manner as any other employee.
  24. Private Acts of 1951, Chapter 584, was nearly identical to Private Acts of 1951, Chapter 141, dividing the county into the same four road districts and naming the same persons to serve as commissioners, except that this act did not require that separate accounts be maintained for each road district. This act was repealed by Private Acts of 1986, Chapter 148.
  25. Private Acts of 1957, Chapter 323, amended Private Acts of 1951, Chapter 584, to eliminate the position of road supervisor. The act also required that vacancies on the County Highway Commission be filled by the Quarterly County Court, and that purchases over \$250 be made by sealed competitive bids. The commission was prohibited from incurring indebtedness in excess of \$40,000. The hourly compensation of manual laborers was raised to \$1.50 per hour. Gasoline tax revenues were required to be apportioned among the road districts so that no more than 30% and no less than 20% of those funds could be spent in any one district in any year. The Quarterly County Court was required to perform an investigation of the receipts and disbursements of the

- highway commission each year, and an audit was authorized every two years. This act was repealed by Private Acts of 1986, Chapter 148.
26. Private Acts of 1959, Chapter 133, would have repealed Private Acts of 1951, Chapter 584, divided the Carroll County into five road districts, and created a five-member County Highway Department with the County Judge as an ex officio member, but this act was rejected by the Quarterly County Court and never became effective law. Even though it was never effective, Section 10 of this act was repealed by Private Acts of 1975, Chapter 23.
  27. Private Acts of 1967-68, Chapter 315, amended Private Acts of 1951, Chapter 584, to increase the compensation of the highway commissioners to \$300 per month, and the secretary/bookkeeper to \$250 per month. This act was repealed by Private Acts of 1986, Chapter 148.
  28. Private Acts of 1969, Chapter 186, amended Private Acts of 1951, Chapter 584, to increase the compensation of the road laborers to \$1.75 per hour. This act was repealed by Private Acts of 1986, Chapter 148.
  29. Private Acts of 1972, Chapter 258, amended Private Acts of 1951, Chapter 584, to increase the compensation of the road laborers to \$2 per hour, the members of the highway commission to \$400 per month, and the secretary/bookkeeper to \$350 per month. This act was repealed by Private Acts of 1986, Chapter 148.
  30. Private Acts of 1974, Chapter 322, amended Private Acts of 1951, Chapter 584, to increase the compensation of the highway commissioners to \$450 per month and the secretary/bookkeeper to \$400 per month. This act also provided that janitors would be paid no more than \$1.50 per hour, truck operators and bridge crew helpers no more than \$2.25 per hour, bridge crew foremen no more than \$2.30 per hour, and machine operators and mechanics no more than \$2.50 per hour. This act was repealed by Private Acts of 1986, Chapter 148.
  31. Private Acts of 1974, Chapter 351, would have authorized the Quarterly County Court of Carroll County to appoint a chief administrative officer or county road supervisor for Carroll County, to serve pursuant to the County Uniform Road Law of 1974, but the act failed to receive approval and never became effective law.
  32. Private Acts of 1975, Chapter 175, amended Private Acts of 1951, Chapter 584, to increase the compensation of the highway commissioners to \$500 per month and the secretary/bookkeeper to \$450 per month, and to raise the hourly wages of truck operators and bridge crew helpers to \$2.50 per hour, bridge crew foremen to \$2.55, and mechanics and heavy equipment operators to \$2.75 per hour. Mechanic helpers and shop assistants would be paid no more than \$2.50 per hour. This act was repealed by Private Acts of 1986, Chapter 148.
  33. Private Acts of 1977, Chapter 15, amended Private Acts of 1951, Chapter 584, to increase the compensation of the highway commissioners to \$600 per month, the secretary/bookkeeper to \$550 per month, janitors to \$2 per hour, truck operators and bridge crew helpers to \$3 per hour, bridge crew foremen to \$3.05 per hour, mechanics and heavy equipment operators to \$3.25 per hour, and mechanic helpers and shop assistants to \$3 per hour. This act was repealed by Private Acts of 1986, Chapter 148.
  34. Private Acts of 1978, Chapter 243, amended Private Acts of 1951, Chapter 584, to lower the compensation of the road commissioners to \$550 per month and the secretary/bookkeeper to \$500 per month, and to increase the compensation of truck operators and bridge crew helpers to \$3.25 per hour, bridge crew foremen to \$3.30 per hour, mechanics and heavy equipment operators to \$3.50 per hour, and mechanic helpers and shop assistants to \$3.25 per hour. The reduction in salary for the commissioners and secretary/bookkeeper apparently was in error, because this act was repealed by Private Acts of 1978, Chapter 309, summarized below.
  35. Private Acts of 1978, Chapter 309, repealed Private Acts of 1978, Chapter 243, and amended Private Acts of 1951, Chapter 584, to increase the compensation of the highway commissioners to \$650 per month, the secretary/bookkeeper to \$600 per month, truck operators and bridge crew helpers to \$3.25 per hour, bridge crew foremen to \$3.30 per hour, mechanics and heavy equipment operators to \$3.50 per hour, and mechanic helpers and shop assistants \$3.25 per hour. This act was repealed by Private Acts of 1986, Chapter 148.
  36. Private Acts of 1979, Chapter 33, amended Private Acts of 1951, Chapter 584, to increase the compensation of the highway commissioners to \$700 per month, the secretary/bookkeeper to \$650 per month, truck operators and bridge crew helpers to \$3.50 per hour, bridge crew foremen to \$3.55 per hour, mechanics and heavy equipment operators to \$3.75 per hour, and mechanic helpers and shop assistants \$3.50 per hour. Shovel operators at the gravel pit would be paid no more than \$5 per hour. This act was repealed by Private Acts of 1986, Chapter 148.

37. Private Acts of 1980, Chapter 199, would have amended Private Acts of 1951, Chapter 584, to increase the compensation of the highway commissioners, the secretary/bookkeeper, and the various operators, crew members, foremen, mechanics and assistants, but this act was disapproved by the county legislative body and never became effective law. Even though it was never effective, this act was repealed by Private Acts of 1986, Chapter 148.
38. Private Acts of 1981, Chapter 42, amended Private Acts of 1951, Chapter 584, to increase the compensation of the highway commissioners to \$750 per month, the secretary/bookkeeper to \$700 per month, truck operators and bridge crew helpers to \$4 per hour, bridge crew foremen to \$4.05 per hour, mechanics and heavy equipment operators to \$4.25 per hour, shovel operators at the gravel pit to \$5.50 per hour, and mechanic helpers and shop assistants to \$4 per hour. This act was repealed by Private Acts of 1986, Chapter 148.
39. Private Acts of 1983, Chapter 83, amended Private Acts of 1951, Chapter 584, to increase the compensation of the highway commissioners to \$800 per month, the secretary/bookkeeper to \$750 per month, truck operators and bridge crew helpers to \$4.25 per hour, bridge crew foremen to \$4.30 per hour, mechanics and heavy equipment operators to \$4.50 per hour, shovel operators at the gravel pit to \$5.75 per hour, and mechanic helpers and shop assistants to \$4.25 per hour. This act was repealed by Private Acts of 1986, Chapter 148.
40. Private Acts of 1984, Chapter 199, amended Private Acts of 1951, Chapter 584, to increase the compensation of the highway commissioners to \$850 per month, the secretary/bookkeeper to \$800 per month, truck operators and bridge crew helpers to \$4.50 per hour, bridge crew foremen to \$4.55 per hour, mechanics and heavy equipment operators to \$4.75 per hour, shovel operators at the gravel pit to \$6 per hour, and mechanic helpers and shop assistants to \$4.50 per hour. This act was repealed by Private Acts of 1986, Chapter 148.

---

**Source URL:** <https://www.ctas.tennessee.edu/private-acts/chapter-ix-highways-and-roads-6>