

103<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 3236

To amend title 23, United States Code, to authorize a State to include in highway construction contracts a guaranty or warranty clause for materials and workmanship.

---

## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 7, 1993

Mr. BEILENSON introduced the following bill; which was referred to the  
Committee on Public Works and Transportation

---

## A BILL

To amend title 23, United States Code, to authorize a State to include in highway construction contracts a guaranty or warranty clause for materials and workmanship.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. GUARANTY AND WARRANTY CLAUSES.**

4 Section 114 of title 23, United States Code, is  
5 amended by adding at the end the following:

6 “(c) GUARANTY AND WARRANTY CLAUSES.—A State  
7 highway department may, in accordance with standards  
8 developed by the Secretary, include a clause in a contract  
9 for the construction of a Federal-aid highway which re-

1 quires the contractor to guarantee or warrant materials  
2 and workmanship. Any such clause shall apply to a spe-  
3 cific construction product or feature and may not provide  
4 for routine maintenance.”.

○