

**RULES  
OF  
TENNESSEE DEPARTMENT OF TRANSPORTATION  
CIVIL RIGHTS DIVISION**

**CHAPTER 1680-8-2**

**DEFINITION OF “DISADVANTAGED BUSINESS ENTERPRISES” AND “WOMEN BUSINESS ENTERPRISES” FOR THE PURPOSE OF IMPLEMENTING TCA. §67-3-123**

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**1680-8-2-.01 PREFACE.** The purpose of this chapter is to define the terms “Disadvantaged Business Enterprises” and “Women Business Enterprises” for the purpose of implementing the provisions of TCA. §67-3-123.

T.C.A. §67-3-123 provides that the Tennessee Department of Transportation shall make good faith efforts to obtain participation of either disadvantaged business enterprises or women business enterprises as such enterprises may be defined by the Commissioner of Transportation, in the amount approximating ten percent (10%) of revenues which are distributed to the State highway fund from the petroleum products tax increases authorized by Acts 1989, Chapter 46, and which are let to contract.

The section further provides that with respect to projects funded wholly or in part with state funds, the Department of Transportation shall make good faith efforts to obtain participation of either Disadvantaged Business Enterprises or Women Business Enterprises as such enterprises may be defined by the Commissioner of Transportation, in the amount approximating seven percent (7%) of the revenues which are distributed to the State highway fund from the petroleum products tax increases effective 1986, Chapter 931, and which are let to contract.

This section also provides that as a condition of disbursement of the funds raised by Acts 1989, Chapter 241, relative to petroleum products tax increases, any local government receiving such funds shall agree to make good faith efforts to obtain participation of either disadvantaged business enterprises or women business enterprises as such enterprises may be defined by the Commissioner of Transportation, in the amount approximating ten percent (10%) of the revenues which are distributed to such governments from the petroleum products tax increases authorized by Acts 1989, Chapter 241, and which are let to contract.

**Authority:** T.C.A. §67-3-123. **Administrative History:** Original rule filed December 20, 1990; effective February 3, 1991. Rule has been assigned a new control number from 1680-10-1-.01 filed and effective February 1, 2003.

**1680-8-2-.02 DEFINITIONS.** For the purpose of implementing the provisions of TCA. §67-3-123, the terms “Disadvantaged Business Enterprises” and “Women Business Enterprises” shall mean an enterprise that has been certified by the Tennessee Department of Transportation as a Disadvantaged Business Enterprise pursuant to Chapter 1680-8-1, Certification of Disadvantaged Business Enterprises, Rules of the Tennessee Department of Transportation, Contract Compliance Office.

**Authority:** T.C.A. §67-3-123. **Administrative History:** Original rule filed December 20, 1990; effective February 3, 1991. Rule has been assigned a new control number from 1680-10-1-.02 filed and effective February 1, 2003.