**Section 530.275 Surety Bond**

a) If required, the permittee shall furnish a surety bond on a form approved, and in an amount specified, by the Department.

b) General

1) The surety bonds required for utility work and occupancy on State highway right-of-way are intended primarily to assure the prompt and satisfactory replacement, repair, and completion of work (at no cost to the State or its contractors) on State highway facilities that may be damaged or disrupted by the utility company's operations or occupancy. These bonds are not to be considered as personal injury and property damage insurance.

2) A surety bond remains in effect until released by the Department.

3) The monetary value of the surety shall be based on the potential for highway facility damages which may be related to the type and volume of transmittent, the physical dimensions of the utility facilities, and the permittee's history of noncompliance.

4) The Department will accept bonds from only those sureties that meet the Department's standards for acceptability as set forth in 44 Ill. Adm. Code 675.240.

5) The bonding company shall commit itself to notify the Department of its intention to terminate the bond at least 30 days before termination. The permittee shall provide a substitute surety bond acceptable to the Department within 15 days after its surety gives a termination notice or shall remove its facility from, and restore, the right-of-way within that period of time.

c) Utility Permit Continuing Bond

 Surety shall be provided as a continuing bond to remain in full force and effect for all utility companies issued a general utility permit providing for long-term or permanent occupancy of State highway right-of-way.

d) Individual Utility Permit Bond

 Surety shall be provided by a contractor who constructs or maintains utility facilities, under permit, for a municipality or other public body which is not required to maintain a continuing bond. Individual utility permit bonds are to remain in full force and effect until the specific project is completed and the highway right-of-way is restored in accordance with Section 530.250. As a minimum, Individual Utility Permit Bonds remain in full force and effect for five years from date of permit approval by the Department.

e) Continuing Bond for Utility Contractors

 A contractor who has occasion to frequently request permits for utility work may provide, at its option, a continuing bond. This arrangement eliminates the need for the contractor to secure an individual utility permit bond for each project.

f) If the surety bond expires, the permit can be revoked.

AGENCY NOTE: Forms mentioned in this Part are available from District offices as shown in Section 530.Illustration A or the Department of Transportation, Bureau of Maintenance, 2300 South Dirksen Parkway, Springfield, Illinois, 62764.