

STATE OF OKLAHOMA

1st Session of the 57th Legislature (2019)

SENATE BILL 457

By: Treat

AS INTRODUCED

An Act relating to the Oklahoma Department of Transportation; amending 69 O.S. 2011, Sections 303 and 4007, which relate to the powers and duties of the Transportation Commission and the Director of the Oklahoma Department of Transportation; requiring that Director be appointed by Governor with advice and consent of the Senate and serve at the pleasure of the Governor; updating statutory references; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 69 O.S. 2011, Section 303, is amended to read as follows:

Section 303. ~~(a)~~ A. The Transportation Commission shall constitute an advisory, administrative, and policy making board with which the Director of the Department of Transportation shall from time to time consult regarding the administration of the affairs of the Department. The Commission may require from the Director complete reports and information relative to the affairs of the Department at such time and in such manner as the Commission may deem advisable.

1 ~~(b)~~ B. In addition to its other powers and duties, as herein
2 defined, the Commission shall have the following specific powers and
3 duties:

4 ~~(1)~~ 1. To organize itself by the election of a ~~chairman~~ chair,
5 ~~vice-chairman~~ vice-chair and secretary, who shall perform the duties
6 required of them by the rules and regulations of the Commission, but
7 shall receive no extra compensation therefor;

8 ~~(2)~~ 2. To ~~elect a State Highway Director and fix his~~ the salary
9 of the Director of the Department within the limits of this Code,
10 ~~who shall serve during the pleasure of the Commission, expressed by~~
11 ~~a majority vote of the entire Commission;~~

12 ~~(3)~~ 3. To prescribe rules, regulations, and policies for the
13 transaction of its business, and for the letting of all contracts
14 and purchases;

15 ~~(4)~~ 4. To prescribe the manner of cooperation between county
16 and municipal officials with the Commission;

17 ~~(5)~~ 5. Except as otherwise provided herein, to let or supervise
18 the letting of all contracts for construction or improvements of
19 state highways, or any contract for road or bridge construction or
20 improvement where the work is being done in whole or in part with
21 state or federal monies; and

22 ~~(6)~~ 6. To authorize all expenditures prior to the incurring
23 therefor, except as otherwise provided in ~~this Code~~ Section 101 et
24 seq. of this title.

1 ~~(e)~~ C. Each Commissioner shall aid in the promotion of highway
2 construction, improvements, and maintenance throughout the entire
3 state, and shall not act as the special representative of the
4 particular district in which he or she resides.

5 SECTION 2. AMENDATORY 69 O.S. 2011, Section 4007, is
6 amended to read as follows:

7 Section 4007. A. The administrative head of the Department of
8 Transportation shall be the Director of the Department of
9 Transportation. The Director shall be an individual with a
10 background of broad experience in the administration and management
11 of complex public works or other comparable organizational
12 structures, and ~~who~~ shall be appointed by the ~~Commission~~ Governor,
13 with the advice and consent of the Senate, and serve at the pleasure
14 of the ~~Commission~~ Governor. ~~He~~ The Director shall have the
15 authority and duty to supervise, direct, account for, organize,
16 plan, administer and execute the functions of the Department
17 consistent with the general policies and procedures prescribed and
18 established by the Commission. Any statutory references to the
19 State Highway Director in ~~Title 69 of the Oklahoma Statutes~~ this
20 title shall mean the Director of the Department of Transportation.

21 B. The Director shall employ a professional civil engineer who
22 shall have broad experience in design and construction of complex
23 highways or other transportation-related projects. This engineer
24

1 shall be responsible to the Director for the management of all
2 engineering functions of the Department.

3 C. ~~This act~~ Section 4001 et seq. of this title shall not affect
4 the status and rights accrued under the State Merit System of
5 Personnel Administration or the Oklahoma Public Employees Retirement
6 System to persons serving as employees of any Department,
7 Commission, Authority or other state agency who become employees of
8 the Department of Transportation through the passage of ~~this act~~
9 Section 4001 et seq. of this title.

10 SECTION 3. This act shall become effective November 1, 2019.

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