

FIRST REGULAR SESSION

# HOUSE BILL NO. 403

## 100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MESSENGER.

1081H.011

DANA RADEMAN MILLER, Chief Clerk

### AN ACT

To repeal section 226.040, RSMo, and to enact in lieu thereof one new section relating to the appointment of the director of the department of transportation.

*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Section 226.040, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 226.040, to read as follows:

226.040. 1. The ~~[state highways and transportation commission]~~ **governor, subject to the advice and consent of the senate**, shall appoint a chief executive officer with the title of director of the Missouri department of transportation. The director shall serve at the pleasure of the ~~[commission]~~ **governor under Article IV, Section 17 of the Constitution of Missouri**. The director shall be a citizen and a resident of this state, shall have had executive management experience for at least five years, and may be a registered professional engineer. The director's duties shall include appointment of a chief engineer, a chief financial officer and other department heads, engineers and other employees ~~[as the commission may designate and deem necessary. Under the direction of the commission,]~~ . The director shall have general charge of, and be responsible for, the overall operations and performance of the department. The director shall provide quarterly to the commission at its regularly scheduled meetings a current unaudited written version of the report required in subsection 2 of section 21.795 with changes from the most recent audited report clearly marked. Such report shall be made available to the public **on the department of transportation's internet website**.

2. The chief engineer shall be a registered professional engineer responsible for preparation and approval of all engineering documents, plans and specifications and shall have

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 general oversight of construction and maintenance work for the department as determined by the  
18 director.

19           3. Engineers of the department responsible for supervising the activities of road and  
20 bridge design, construction, maintenance and materials inspection and analysis shall be registered  
21 professional engineers in this state.

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