

1 HB402
2 137433-1
3 By Representatives McCutcheon, Farley, Shiver, Johnson (K),
4 Faust, Greer, Ball, Baughn, Johnson (W), Rich, McAdory,
5 Patterson, McClendon, Carns, Nordgren, Collins, Wallace,
6 Beech, Wren, Lee, Buttram, Clouse, Chesteen, Laird, Fincher,
7 Gaston, Hurst, Henry, Long and Williams (D)
8 RFD: Transportation, Utilities and Infrastructure
9 First Read: 23-FEB-12

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8 SYNOPSIS: Under existing law, the Chief Engineer of
9 the Department of Transportation is appointed by
10 the Director of Transportation subject to approval
11 of the Governor and the State Board of Registration
12 for Engineers and Land Surveyors. The chief
13 engineer thereafter serves as a Merit System
14 employee. The chief engineer is also required to be
15 a registered professional engineer.

16 This bill would provide that the Chief
17 Engineer of the Department of Transportation would
18 be an exempt position under the state Merit System
19 appointed by the Director of Transportation, would
20 specify that a civil engineering degree of the
21 chief engineer be from an accredited school of
22 engineering, and would further provide for the
23 duties of the chief engineer.

24
25 A BILL
26 TO BE ENTITLED
27 AN ACT

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To amend Sections 23-1-22, 23-1-23, and 23-1-24 of the Code of Alabama 1975, relating to the State Department of Transportation and the position of chief engineer; to provide that the position would be an exempt position under the state Merit System appointed by the Director of Transportation and to further provide for the qualifications and duties of the chief engineer.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Sections 23-1-22, 23-1-23, and 23-1-24 of the Code of Alabama 1975, are amended to read as follows:

"§23-1-22.

"(a) There is hereby created within the State Department of Transportation the position of chief engineer, which shall be filled by appointment by the Director of Transportation, with the approval of the Governor. ~~Such appointment shall also be subject to approval by the State Board of Registration for Engineers and Land Surveyors.~~ The salary of the chief engineer shall be as determined pursuant ~~to Chapter 6 of Title 36~~ by the director with approval of the Governor, and ~~he~~ the chief engineer shall be allowed traveling expenses when traveling on business of the state pursuant to Article 2 of Chapter 7 of Title 36, all to be paid from funds of the State Department of Transportation as salaries and expenses of other State Department of Transportation employees are paid. The chief engineer shall give bond for the faithful

1 performance of his or her duties in an amount to be approved
2 by the Governor.

3 "(b) The chief engineer shall serve at the pleasure
4 of and under the direction of the Director of Transportation
5 ~~and otherwise be entitled to all the privileges and~~
6 ~~responsibilities as other Merit System employees, and his~~
7 ~~service and removal~~ and shall be ~~subject to the~~ an exempt
8 employee under the state Merit System regulations.

9 "§23-1-23.

10 "The chief engineer shall be a ~~registered~~ licensed
11 professional engineer in the State of Alabama with a minimum
12 of 15 years' progressive professional engineering experience
13 pertaining to the planning, development, construction,
14 maintenance, and repair of highways and bridges. ~~He~~ The chief
15 engineer shall hold a degree in civil engineering from an
16 accredited school of engineering ~~school of recognized~~
17 ~~standing. The chief engineer~~ and shall ~~have a detail~~ possess a
18 detailed knowledge of engineering principles and their
19 application ~~pertaining~~ to highways and bridges. ~~He~~ The chief
20 engineer shall ~~maintain citizenship in the State of Alabama~~ be
21 a citizen of this state and shall continuously be a ~~registered~~
22 licensed professional engineer in ~~the State of Alabama as a~~
23 ~~condition while serving in this office~~ this state while
24 employed.

25 "§23-1-24.

26 "~~The duties of the chief engineer in the State~~
27 ~~Department of Transportation shall include the administration~~

1 of technical phases of the organization, and direction and
2 coordination of the engineering activities of the State
3 Department of Transportation. The chief engineer of the State
4 Department of Transportation shall coordinate the general
5 mathematical, physical, and engineering sciences as applied to
6 the planning, design, construction, maintenance, or repair of
7 highways and bridges in this state. The Director of
8 Transportation may assign general engineering, administrative,
9 and operational activities to other qualified employees of the
10 department. The chief engineer shall ~~affix his signature to~~
11 sign the title sheets of all plans let to contract by the
12 ~~State Department of Transportation~~ department. The duties of
13 the chief engineer shall be subject to and under the
14 direction, control, and supervision of the Director of
15 Transportation."

16 Section 2. This act shall become effective
17 immediately following its passage and approval by the
18 Governor, or its otherwise becoming law.