Revised March 5, 2023

LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

SECRETARY'S POLICY AND PROCEDURE MEMORANDUM (PPM) NO. 5

SUBJECT: Delegation of Authority

EFFECTIVE DATE: December 16, 1976

INSTRUCTIONS: This memorandum supersedes all other memoranda and manuals.

In accordance with Louisiana Revised Statute (La. R.S.) Title 36, Section 509, the Louisiana Department of Highways was abolished as of January 1, 1977, and all powers and authorities contained in Article VI, Sections 19, 19.2, 19.3, 19.4, 22(1), and 23 of the 1921 Constitution, made statutory by Article XIV, Section 16(a)(3) of the 1974 Constitution; La. R.S. 48:1-48:461.17; 48:756; 48:941-48:952; 48:1091-48:1106; 48:1161-48:1167; and any other applicable laws conferring powers, duties, or obligations to the Department of Highways were transferred, effective January 1, 1977, and thereafter within the Department of Transportation and Development as provided for in La. R.S. 36:501, et seq.

This was a direct transfer to the Office of the Secretary for the Department of Transportation and Development and subject to all of the provisions of the foregoing and the powers vested in the Secretary under La. R.S. 36:504.

The Secretary of the Department of Transportation and Development orders and directs that the Undersecretary, Office of Management and Finance, perform and administer and exercise all powers and duties as set forth in La. R.S. 36:506. The Secretary of the Department of Transportation and Development further delegates authority to the Undersecretary to execute all documents, agreements and contracts as necessary for the ordinary and efficient functioning of the Office of Management and Finance.

The Secretary of the Department of Transportation and Development orders and directs that the Chief Engineer, Office of Engineering, perform and administer and exercise all powers and duties as set forth in La. R.S. 36:508, 48:91 and 48:92. The Secretary of the Department of Transportation and Development further delegates authority to the Chief Engineer to execute all documents, agreements and contracts as necessary for the ordinary and efficient functioning of the Office of Engineering. As provided for in La. R.S. 36: 508, the Secretary or the Chief Engineer, with the approval of the Secretary may designate (in writing) to a licensed engineer within the Office of Engineering any of the duties provided for above during the Chief Engineer's absence or incapacitation.

The Secretary of the Department of Transportation and Development orders and directs that the Assistant Secretary, Office of Planning, perform and administer and exercise all powers as set forth in La. R.S. 36:508.1. The Secretary of the Department of Transportation and Development further delegates authority to the Assistant Secretary, Office of Planning to execute all documents, agreements and contracts as necessary for the ordinary and efficient functioning of the Office of Planning. As provided for in La. R.S. 36: 508.1, the Assistant Secretary, with the approval of the Secretary, may designate (in writing) to a member of senior staff within the Office of Planning to

perform any duties required of the Assistant Secretary. The Secretary is specifically authorized and empowered to perform any of the duties of the Assistant Secretary when the Assistant Secretary is absent or incapacitated or when in the opinion of the Secretary it would be in the best interest of the department.

The Secretary of the Department of Transportation and Development orders and directs that the Assistant Secretary, Office of Operations, perform and administer and exercise all powers and duties as set forth in La. R.S. 36:508.2. The Secretary of the Department of Transportation further delegates the authority to the Assistant Secretary, Office of Operations to execute all documents, agreements and contracts as necessary for the ordinary and efficient functioning of the Office of Operations. As provided for in La. R.S. 36: 508.2, the Assistant Secretary, with the approval of the Secretary, may designate (in writing) to a licensed engineer within the Office of Operations any of the above duties provided herein for the ordinary and efficient functioning of the Office of Operations.

The Secretary of the Department of Transportation and Development orders and directs that the Commissioner, Office of Multimodal Commerce, perform and administer and exercise all powers as set forth in La. R.S. 36:508.3. The Secretary of the Department of Transportation and Development further delegates authority to the Commissioner, Office of Multimodal Commerce, to execute all documents, agreements and contracts as necessary for the ordinary and efficient functioning of the Office of Multimodal Commerce.

The Secretary of the Department of Transportation and Development orders and directs that the Deputy Secretary is appointed and designated to sign and execute in the capacity any certificate required by La. R.S. 48:442(3)(a). The Secretary of the Department of Transportation and Development further orders and directs that the Deputy Secretary is appointed and designated to sign and execute in the capacity all documents, agreements, and contracts for all Offices of the Department, on behalf of the Secretary, as necessary for the ordinary and efficient functioning of the Department.

The Secretary of the Department of Transportation and Development orders and directs that the Real Estate Administrator or his/her designated representative, with the Secretary's written approval, are instructed, empowered, authorized, and directed, with the exception of litigation settlements, to sign and to accept for and on behalf of the Department of Transportation and Development, all real estate or right-of-way documents executed in connection with the acquisition, disposal, abandonment, construction, alteration, and maintenance of roads, bridges, and other facilities under the jurisdiction of the Department of Transportation and Development.

The Secretary of the Department of Transportation and Development orders and directs that in the absence of the Secretary and the Deputy Secretary, the Undersecretary, Office of Management and Finance, is appointed and designated to sign and execute in the capacity any certificate required by La. R.S. 48:442(3)(a). The Secretary of the Department of Transportation and Development

further orders and directs that in the absence of the Secretary and the Deputy Secretary, the Undersecretary is appointed and designated to sign and execute in the capacity all documents, agreements, and contracts for all Offices of the Department, on behalf of the Secretary, as necessary for the ordinary and efficient functioning of the Department.

The above-required written designations must be submitted to the General Counsel for recordkeeping and distribution to affected DOTD Section Heads/District Administrators. The Secretary of the Department of Transportation and Development, in accordance with the provisions as stated in La. R.S. 36:507, makes the necessary delegation of authority for the continued exercise of those functions as specified in the Revised Statutes of the State of Louisiana.

Eric Kalivoda, Ph.D.
Secretary