(2) All powers, duties and functions currently performed by DOTD.

R.S. 36:501 B. provides that DOTD "shall be responsible for developing and implementing programs to assure adequate, safe, and efficient transportation and other public works facilities and services in the state in accordance with the transfer of agencies and functions made by this Chapter. The department shall develop and implement programs in all areas of transportation, including highways, airports, waterways, flood protection, and mass transit, as well as public works activities, in accordance with such transfers".

Additionally, R.S. 36:507 states that the secretary, or in his discretion a subordinate or subordinates appointed in writing by him,

"A. *** shall administer the programs of the state relating to and affecting aeronautics and aviation facilities within the state; the development and establishment of public mass transit, railroad, and water transportation systems, and other special transportation programs as may be directed by the secretary."

"B. *** shall administer the programs of the state relating to the establishment, design, construction, extension, improvement, repair, maintenance, and regulation of roads, highways, expressways, bridges, and matters pertaining thereto; *** shall develop, prepare, and finalize the annual highway construction program authorized by Act 334 of 1974."

"C. *** shall perform the public works functions of the state, related to flood and drainage control, the flood plain management program, reclamation, water resources, soil conservation, land surveying and mapping, disaster relief, and related functions."

"D. *** shall perform the functions necessary to develop the state's multimodal transportation and development plan."

“E.*** The secretary is hereby granted full power and authority to delegate, assign, or appoint in his discretion any subordinate to perform any function or duties required by law to be performed by the department, except as specifically provided in this Title. This grant of power and authority shall be liberally construed to effectuate the purposes of this Chapter.”

Attachments – LA R.S. 36:501-511

RS 36:501

CHAPTER 11. DEPARTMENT OF TRANSPORTATION
AND DEVELOPMENT

§501. Department of Transportation and Development; creation; domicile; composition; purposes and functions

A. The Department of Transportation and Development is created and shall be a body corporate with the power to sue and be sued. The domicile of the department shall be in Baton Rouge.

B. The Department of Transportation and Development, through its offices and officers, shall be responsible for developing and implementing programs to assure adequate, safe, and efficient transportation and other public works facilities and services in the state in accordance with the transfer of agencies and functions made by this Chapter. The department shall develop and implement programs in all areas of transportation, including highways, airports, waterways, flood protection, and mass transit, as well as public works activities, in accordance with such transfers.

C.(1) The Department of Transportation and Development shall be composed of the executive office of the secretary, the office of management and finance, the office of engineering, the office of planning, the office of operations, the office of multimodal commerce, and such other offices as shall be created by law.

(2) Whenever the secretary determines that the administration of the functions of the department may be more efficiently performed by eliminating, merging, or consolidating existing offices or establishing new offices, he shall present a plan therefor to the legislature for its approval by statute.

Acts 1976, No. 513, §1. Amended by Acts 1977, No. 83, §1, eff. June 22, 1977; Acts 1979, No. 445, §1, eff. July 13, 1979; Acts 1981, No. 693, §1; Acts 1987, No. 736, §1; Acts 1988, 1st Ex. Sess., No. 2, §1, eff. Mar. 28, 1988; Acts 1988, No. 488, §1, eff. July 9, 1988; Acts 1997, No. 1381, §1, eff. July 1, 1997; Acts 1998, 1st Ex. Sess., No. 71, §1, eff. July 1, 1998; Acts 2006, 1st Ex. Sess., No. 6, §2; Acts 2006, No. 11, §3; Acts 2009, No. 523, §1, eff. July 10, 2009; Acts 2011, No. 261, §1, eff. June 28, 2011; Acts 2014, No. 719, §1, eff. July 1, 2016.

NOTE: SEE ACTS 1987, NO. 736, §3.

NOTE: SEE ACTS 1988, NO. 488, §§2, 3.

NOTE: SEE ACTS 1990, NO. 601, §§3-5.

NOTE: See Acts 2009, No. 523, §§9 and 10, relative to transfer of duties and responsibilities to the Coastal Protection and Restoration Authority and the transfer of business, employees, programs, etc. of the authority and the Office of Coastal Protection and Restoration in the office of the governor.

RS 36:502

§502. Officers of the department; compensation for one office only

A.(1) The officers of the department shall be the secretary, undersecretary, deputy secretary, chief engineer, assistant secretary of planning, commissioner of multimodal commerce, and assistant secretary of operations, each of whom shall be selected and shall perform functions as provided in this Title.

(2) The secretary, undersecretary, deputy secretary, assistant secretary of planning, assistant secretary of operations, executive director of the Offshore Terminal Authority, commissioner of multimodal commerce, and such other positions which may be authorized by the State Civil Service Commission or the state constitution shall be the only unclassified positions in the Department of Transportation and Development. All other positions in the department shall be in the classified state service. The secretary shall fill such positions as in his opinion and judgment are necessary to the operation of the department in accordance with applicable rules and regulations of the State Civil Service Commission and applicable law.

B. No person serving as a secretary, undersecretary, deputy secretary, chief engineer, assistant secretary of planning, assistant secretary of operations, commissioner of multimodal commerce, or in any other office in the department shall receive any additional salary from the state other than that salary which he receives by virtue of serving in any one of such offices. Any statewide elected official appointed to serve as a secretary or deputy secretary shall not receive any additional salary from the state other than that salary which he receives as a statewide elected official.

C. Notwithstanding any provision herein to the contrary, subject to approval of the governor, any person, including any statewide elected official, serving or appointed to serve as a secretary or deputy secretary may receive additional compensation for part-time services rendered as an instructor in postsecondary educational institutions, or as a member of the National Guard.

Acts 1988, No. 488, §1, eff. July 9, 1988; Acts 1997, No. 1381, §1, eff. July 1, 1997; Acts 1998, 1st Ex. Sess., No. 71, §1, eff. July 1, 1998; Acts 2006, 1st Ex. Sess., No. 6, §2, eff. April 18, 2006; Acts 2009, No. 523, §1, eff. July 10, 2009; Acts 2011, No. 261, §1, eff. June 28, 2011; Acts 2014, No. 719, §1, eff. July 1, 2016.

NOTE: See Acts 2009, No. 523, §§9 and 10, relative to transfer of duties and responsibilities to the Coastal Protection and Restoration Authority and the transfer of business, employees, programs, etc. of the authority and the Office of Coastal Protection and Restoration in the office of the governor.

RS 36:503

§503. Secretary of transportation and development

There shall be a secretary of transportation and development who shall be appointed by the governor with consent of the Senate. He shall serve at the pleasure of the governor at a salary fixed by the governor, which salary shall not exceed the amount approved for such position by the legislature while in session. He shall be the appointing authority for the department in accordance with civil service rules and regulations. The secretary shall serve as the executive head and chief administrative officer of the Department of Transportation and Development and shall have the responsibility for the policies of the department, except as specifically provided for particular agencies transferred to or placed within the department by other provisions of this Title. He shall also be responsible for the administration, control, and operation of the functions, programs, and affairs of the department; provided that the secretary shall perform his functions under the general control and supervision of the governor.

Acts 1988, No. 488, §1, eff. July 9, 1988; Acts 1998, 1st Ex. Sess., No. 71, §1, eff. July 1, 1998.

RS 36:504

§504. Powers and duties of secretary of transportation and development

A. In addition to the functions, powers, and duties otherwise vested in the secretary by law, he shall:

(1) Represent the public interest in the administration of this Chapter and shall be responsible to the governor, the legislature, and the public therefor.

(2) Determine the policies of the department, except as specifically provided for agencies transferred to the department as otherwise provided in this Title.

(3) In accordance with the Administrative Procedure Act, make, alter, amend, and promulgate rules and regulations necessary for the administration of the functions of the department, except as otherwise specifically provided for agencies transferred to the department.

(4) Organize, plan, supervise, direct, administer, execute, and be responsible for the functions and programs vested in the department, in the manner and to the extent provided by this Title.

(5) Advise the governor on problems concerning the administration of the department.

(6) Act as the sole agent of the state or, in necessary cases, designate one of his subordinates within the department to cooperate with the federal government and with other state and local agencies in matters of mutual concern and in the administration of federal funds granted to the state or directly to the department or an office thereof to aid in the furtherance of any function of the department and its offices. For this purpose he may take such actions, in accordance with any applicable state law, necessary to meet such federal standards as are established for the administration and use of such federal funds, except as otherwise specifically provided by the constitution and laws of this state. The secretary shall have full and complete power to perform all duties imposed by law upon the department either directly or through his designated subordinates, except as specifically provided for agencies transferred to the department. This grant of power and authority to the secretary, shall be liberally construed to effectuate the purposes of this Chapter and the constitution and laws of this state.

(7) Make reports and recommendations on his own initiative or upon the request of the governor, the legislature, or any committee or member thereof.

(8) Provide for the ongoing merger and consolidation of the agencies and functions transferred to his department and submit a report thereon to the governor and the legislature, which report shall accompany the budget statement which he submits under provisions of R.S. 39:33. Such report shall include a statement of the goals of the department and to the programs thereof and shall summarize the accomplishments of the department in meeting such goals and implementing such programs. The report shall also contain a specific statement of the reorganization and consolidation plan for the department for the next year and shall include a report on the implementation of such reorganization and consolidation plan for the previous year. The report concerning reorganization shall specifically detail the extent to which the department has achieved goals stated the previous year with respect to merger and consolidation of functions, abolition of agencies, consolidation of offices, elimination of job positions, and efficiency and economy in delivery of services. The report shall contain any recommendations with respect to reorganization which may require legislative action under the provisions of this Title. A copy of the report and recommended legislation shall also be submitted by the secretary to the presiding officer of both houses of the legislature. The presiding officer shall refer the report to the appropriate committee having jurisdiction of the subject matter as provided in the rules of the respective house.

(9)(a) On an annual basis, provide all of the following information to the legislature no later than fifteen days prior to the convening of each regular session:

(i) A full organizational chart for the department which is current as of the date of submission to the legislature and which shows each staff position, whether filled or vacant, that comprises the department.

(ii) The current salary of the person occupying each filled position shown on the organizational chart.

(b) The secretary may submit the annual report required by this Paragraph in electronic format and is further authorized, but is not required, to submit the report at the time of submission of a report pursuant to Paragraph (7) of this Subsection.

B. The secretary shall have authority to:

(1) Except as otherwise specifically provided in R.S. 36:801, R.S. 36:801.1, and R.S. 36:803:

(a) Employ, appoint, remove, assign, and promote such personnel as is necessary for the efficient administration of the executive office of the secretary and the performance of its powers, duties, functions, and responsibilities and such other personnel, who are not assigned to an office as may be necessary for the efficient administration of the department and for the performance of the responsibilities, powers, duties, and functions of agencies transferred to it.

(b) Employ, assign, and remove all personnel employed for the department on a contractual basis; and

(c) Transfer the personnel of the department as necessary for the efficient administration of the department and its programs; all of the above to be accomplished in accordance with applicable civil service laws, rules, and regulations, and with policies and rules of the Department of Transportation and Development, and all subject to budgetary control and applicable laws.

(d) Negotiate and execute, for meaningful consideration, contracts that permit the use of bridges under the jurisdiction of the Department of Transportation and Development for installation of cables for communication systems. "Meaningful consideration" shall include but not be limited to a specific fee or rental during the period of the contract. The secretary shall promulgate the necessary rules and regulations to establish and assure a uniform criteria for the negotiation and execution of the aforementioned contracts. As nearly as is practicable such rules and regulations shall be promulgated sixty days after the effective date of this Subparagraph.

(2) Appoint, subject to gubernatorial approval, advisory councils, boards, and commissions necessary in the administration of the department.

(3) Accept and use, in accordance with law, gifts, grants, bequests, and endowments for purposes consistent with the responsibilities and functions of the department and take such actions as are necessary to comply with any conditions required for such acceptance.

(4) Formulate and promulgate rules of administration for the department relating to employment and management.

(5) Do such other things, not inconsistent with law, as are necessary to perform properly the functions vested in him.

Acts 1988, No. 488, §1, eff. July 9, 1988; Acts 1988, No. 762, §2, eff. July 15, 1988; Acts 1990, No. 272, §1, eff. Sept. 1, 1990; Acts 1998, 1st Ex. Sess., No. 71, §1, eff. July 1, 1998; Acts 2012, No. 866, §3, eff. Jan. 1, 2013; Acts 2016, No. 557, §2.

RS 36:505

§505. Deputy secretary

A. There may be a deputy secretary of the department, who shall be appointed by the secretary. He shall serve at the pleasure of the secretary at a salary fixed by the governor, which salary shall not exceed the amount approved for such position by the legislature while in session. The duties and functions of the deputy secretary shall be determined and assigned by the secretary. He shall serve as acting secretary in the absence of the secretary.

B. If the position of deputy secretary is not filled during the absence of the secretary, the secretary may designate either the undersecretary or the chief engineer to serve as acting secretary in his absence. The secretary shall notify the governor in writing of his temporary appointment of an acting secretary in his absence. The governor shall have the full authority to revoke the appointment. In no event shall the temporary appointment exceed thirty days in length, except with the specific written approval of the governor. The governor may appoint a temporary secretary to act in the absence or incapacity of the secretary if an acting secretary has not been appointed.

Acts 1988, No. 488, §1, eff. July 9, 1988; Acts 1998, 1st Ex. Sess., No. 71, §1, eff. July 1, 1998.

RS 36:506

§506. Undersecretary; functions; office of management and finance

A. There shall be an undersecretary of the Department of Transportation and Development who shall be appointed by the governor. He shall serve at the pleasure of the secretary at a salary fixed by the governor, which salary shall not exceed the amount approved for such position by the legislature while in session, and shall receive an annual salary payable monthly out of funds appropriated therefor, and shall be allowed his actual necessary traveling expenses incurred in the discharge of his official duties. The undersecretary shall be directly responsible to and shall perform his functions under the supervision and control of the secretary.

B. The undersecretary shall direct and be responsible for the functions of the office of management and finance within the Department of Transportation and Development. In such capacity he shall be responsible for accounting and budget control, procurement, data processing, management and program analysis, personnel management, and grants management for the department and all of its offices, including all agencies transferred to the Department of Transportation and Development, except as otherwise specifically provided in this Title. He shall employ, appoint, remove, assign, and promote such personnel as is necessary for the efficient administration of the office of management and finance and the performance of its powers, duties, functions, and responsibilities, in accordance with applicable civil service laws, rules, and regulations, and with policies and rules of the department, all subject to budgetary control and applicable laws. The undersecretary shall exercise all powers and authority granted to him in this Title subject to the overall direction and control of the secretary.

C. The duties and functions of the office of management and finance and of the undersecretary shall be as provided in this Section, and these duties and functions shall not be subject to change by the secretary, except that the undersecretary shall perform such additional duties and functions as are assigned by the secretary.

D. The executive budget, prepared in accordance with Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, and the general appropriation bill prepared for submission to the legislature beginning with the 1987 Regular Session of the Legislature, shall include a budget for each program in the department.

Acts 1988, No. 488, §1, eff. July 9, 1988; Acts 1998, 1st Ex. Sess., No. 71, §1, eff. July 1, 1998.

RS 36:507

§507. Department; purposes and functions

A. The secretary, or in his discretion a subordinate or subordinates appointed in writing by him, shall administer the programs of the state relating to and affecting aeronautics and aviation facilities within the state; the development and establishment of public mass transit, railroad, and water transportation systems; and other special transportation programs as may be directed by the secretary.

B. The secretary, or in his discretion a subordinate or subordinates appointed by him, shall administer the programs of the state relating to the establishment, design, construction, extension, improvement, repair, maintenance, and regulation of roads, highways, expressways, bridges, and matters pertaining thereto. The secretary or his designated subordinate shall develop, prepare, and finalize the annual highway construction program authorized by Act 334 of 1974.

C. The secretary, or in his discretion a subordinate or subordinates appointed in writing by him, shall perform the public works functions of the state, related to flood and drainage control, the flood plain management program, reclamation, water resources, soil conservation, land surveying and mapping, disaster relief, and related functions.

D. The secretary, or in his discretion a subordinate or subordinates appointed in writing by him, shall perform the functions necessary to develop the state's multimodal transportation and development plan.

E. The secretary is hereby granted full power and authority to delegate, assign, or appoint in his discretion any subordinate to perform any function or duties required by law to be performed by the department, except as specifically provided in this Title. This grant of power and authority shall be liberally construed to effectuate the purposes of this Chapter.

Acts 1988, No. 488, §1, eff. July 9, 1988.

{{NOTE: SEE ACTS 1988, NO. 488, §§2, 3.}}

RS 36:508

§508. Office of engineering; functions; chief engineer; powers and duties

A. There is hereby created within the Department of Transportation and Development, the office of engineering, which shall administer engineering matters related to the state's highway program with respect to project development, design, construction, maintenance, extension, improvement, and regulation of roads, highways, expressways, bridges, and related matters, and any other special highway engineering program as may be directed by the secretary. The office shall also administer the public works functions of the state related to flood and drainage control, reclamation, water resources, soil conservation, mapping, disaster relief, and related matters, the state's participation in the National Flood Insurance Program, 42 U.S.C. 4001 et seq., and other special programs as may be directed by the secretary.

B. The office of engineering shall be under the immediate supervision of the chief engineer, who shall be appointed by the secretary. The chief engineer shall serve at the pleasure of the secretary in accordance with civil service rules. The chief engineer shall be a competent engineer of recognized ability and standing who is experienced in the engineering duties of the department. He shall be licensed to practice civil engineering in Louisiana. The chief engineer shall give his whole time to the duties of his office.

C. The chief engineer shall have authority subject to approval of the secretary and in accordance with applicable rules and regulations of the civil service commission to employ, appoint, transfer, assign, and promote such personnel as is necessary for the efficient administration of the office of engineering.

D. The chief engineer shall receive an annual salary fixed in accordance with civil service rules, payable monthly out of funds appropriated therefor and shall be allowed his actual and necessary traveling expenses incurred in the discharge of his official duties.

E. Before entering upon the duties of his office he shall take the prescribed oath and give bond to the governor in the sum of ten thousand dollars, conditioned upon the faithful performance of his duties. This bond shall be approved by the governor and filed with the secretary of state. The cost of this bond may be paid by the department with approval of the secretary.

F. The chief engineer shall approve all plans, specifications, and estimates for the construction of all facilities and projects for which his office is responsible. He also shall have such other duties as may be assigned to him by the secretary, by the provisions of this Chapter, or by the laws of this state. He shall report the proceedings of his office annually to the secretary of the department and at such other times as the secretary may designate, and he shall make any additional reports as are required by the secretary.

G. The secretary or the chief engineer with approval of the secretary may designate a licensed engineer in the office of engineering to perform any duties required of the chief engineer when the chief engineer is absent or incapacitated.

Acts 1988, No. 488, §1, eff. July 9, 1988; Acts 1988, No. 91, §1; Acts 1997, No. 1381, §1, eff. July 1, 1997; Acts 1998, 1st Ex. Sess., No. 71, §1, eff. July 1, 1998; Acts 2006, No. 11, §3; Acts 2011, No. 261, §1, eff. June 28, 2011; Acts 2012, No. 753, §4.

{{NOTE: SEE ACTS 1988, NO. 488, §§2, 3.}}

RS 36:508.1

§508.1. Office of planning; functions; assistant secretary; powers and duties

A. There is hereby created within the Department of Transportation and Development, the office of planning, which shall administer the planning and programming matters of the department related to strategic and intermodal issues, highways, bridge and pavement management, data collection and analysis, congestion, safety, aviation, public transportation, public mass transit, and railroad and water transportation systems, and related matters, and any other special programs as may be directed by the secretary.

B. The office of planning shall be under the immediate supervision of the assistant secretary, who shall be appointed by the governor and shall serve at the pleasure of the secretary. The assistant secretary shall be a competent engineer or an urban or regional transportation planner of recognized ability and standing who is familiar with the operations of public transportation departments and who, at a minimum, has earned a bachelor's degree. The assistant secretary shall give his whole time to the duties of his office.

C. The assistant secretary shall have authority subject to approval of the secretary and in accordance with applicable rules and regulations of the civil service commission to employ, appoint, transfer, assign, and promote such personnel as is necessary for the efficient administration of the office of planning and programming.

D. The assistant secretary shall receive an annual salary fixed by the governor, which salary shall not exceed the amount approved for such position by the legislature while in session, payable monthly out of funds appropriated therefor and shall be allowed his actual and necessary traveling expenses incurred in the discharge of his official duties.

E. The assistant secretary shall administer all department functions and duties for which the office of planning is responsible. He shall also have such other duties as may be assigned to him by the secretary, by the provisions of this Chapter, or by the laws of this state. He shall report the proceedings of his office annually to the secretary of the department and at such other times as the secretary may designate, and he shall make any additional reports as are required by the secretary.

F. 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 assistant secretary with approval of the secretary may designate a member of the senior staff in the office of planning to perform any duties required of the assistant secretary.

Acts 1998, 1st Ex. Sess., No. 71, §1, eff. July 1, 1998; Acts 2000, 2d Ex. Sess., No. 15, §1; Acts 2011, No. 261, §1, eff. June 28, 2011; Acts 2014, No. 719, §1, eff. July 1, 2016.

RS 36:508.2

§508.2. Office of operations; functions; assistant secretary, powers and duties

A. There is hereby created within the Department of Transportation and Development, the office of operations, which shall administer all matters related to the operations of the department's district offices, the Crescent City Connection Bridge, the Sunshine Bridge, and other matters as may be directed by the secretary.

B. The office of operations shall be under the immediate supervision of the assistant secretary, who shall be appointed by the governor and shall serve at the pleasure of the secretary. The assistant secretary shall be a competent engineer of recognized ability and standing who is experienced in the operations of the department. He shall be licensed to practice engineering in Louisiana. The assistant secretary shall give his whole time to the duties of his office.

C. The assistant secretary shall have authority, subject to approval of the secretary and in accordance with applicable rules and regulations of the civil service commission, to employ, appoint, transfer, assign, and promote such personnel as is necessary for the efficient administration of the office of operations.

D. The assistant secretary shall receive an annual salary fixed by the governor, which salary shall not exceed the amount approved for such position by the legislature while in session, payable monthly out of funds appropriated therefor and shall be allowed his actual and necessary traveling expenses incurred in the discharge of his official duties.

E. The assistant secretary shall administer all department functions and duties for which the office of operations is responsible. He shall also have such other duties as may be assigned to him by the secretary, by the provisions of this Chapter, or by the laws of this state. He shall report the proceedings of his office annually to the secretary of the department and at such other times as the secretary may designate, and he shall make any additional reports as are required by the secretary.

F. 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 assistant secretary with approval of the secretary may designate a licensed engineer in the office of operations to perform any duties required of the assistant secretary.

Acts 1998, 1st Ex. Sess., No. 71, §1, eff. July 1, 1998; Acts 2012, No. 866, §1, eff. Jan. 1, 2013.

NOTE: See Acts 2012, No. 866, §§5 and 6, relative to implementation of termination of Crescent City Connection Dividion of department.

RS 36:508.3

§508.3. Office of multimodal commerce; functions; commissioner; deputy commissioner; powers and duties

A.(1) There is hereby created within the Department of Transportation and Development, the office of multimodal commerce, which shall administer the planning and programming functions of the department related to strategic and intermodal issues, aviation, commercial trucking, intercity public mass transit, railroad expansion and development, port and water transportation systems, and related matters, and any other special programs as may be directed by the governor.

(2) The office shall advise the office of planning on intermodal issues and implement the master plan as it relates to intermodal transportation.

(3) Notwithstanding Paragraph (1) of this Subsection, any powers, duties, responsibilities and corresponding department employees, equipment, facilities, and funding of the Department of Transportation and Development with respect to federal programs on rail safety and the administration of federal rail safety and hazard mitigation funds and the like shall remain with the office of engineering of the Department of Transportation and Development.

B. The office of multimodal commerce shall be vested with the powers, duties, responsibilities, budgetary authority, and department employees, equipment, facilities, and funding necessary to carry out the functions conferred upon it by the provisions of Paragraphs (A)(1) and (2) of this Section.

C.(1) The office of multimodal commerce shall be under the supervision of a commissioner of multimodal commerce, who shall administer all department functions and duties for which the office of multimodal commerce is responsible. The commissioner shall be appointed by the governor, subject to Senate confirmation, and shall serve at the pleasure of the governor.

(2) The commissioner shall have authority, in accordance with applicable rules and regulations of the civil service commission, to employ, appoint, transfer, assign, and promote such personnel as is necessary for the efficient administration of the office of multimodal commerce.

(3) The commissioner shall receive an annual salary fixed by the governor, which salary shall not exceed the amount approved for such position by the legislature while in session, and shall be allowed his actual and necessary traveling expenses incurred in the discharge of his official duties.

D. The powers, duties, responsibilities, budgetary authority, employees, equipment, facilities, and funding of the office of multimodal commerce shall be allocated among the following divisions of such office:

(1) Commercial trucking.

(2) Ports and waterways.

(3) Aviation.

(4) Freight and passenger rail development.

Acts 2014, No. 719, §1, eff. July 1, 2016; Acts 2015, No. 31, §1, eff. July 1, 2016.

NOTE: See Acts 2015, No. 31, §4, regarding eff. date of Subsection C.

RS 36:508.4

§508.4. Multimodal Commerce Advisory Commission

A. The Multimodal Commerce Advisory Commission is hereby established within the office of multimodal commerce. It shall be composed of the following:

(1) The commissioner of multimodal commerce who shall be chair of the commission.

(2) The secretary of the Department of Economic Development, or his designee.

(3) The secretary of the Department of Transportation and Development, or his designee.

(4) The chairs of the Senate and House committees on transportation, highways, and public works, or their designees.

(5) The chairs of the Senate Committee on Commerce, Consumer Protection, and International Affairs and the House Committee on Commerce, or their designees.

(6) A representative of the Ports Association of Louisiana selected by its board of directors.

(7) A representative of the Louisiana Association of Waterway Operators and Shipyards selected by its board of directors.

(8) The president of the Louisiana Airport Managers and Associates, or his designee.

(9) A representative of the Louisiana Motor Transport Association selected by its board of directors.

(10) A representative of the Louisiana Railroad Association selected by its board of directors.

(11) The chairman of the Louisiana Board of International Commerce, or his designee.

(12) The chairman of the board of the Offshore Marine Service Association, or his designee.

(13) A Louisiana representative of the Southern Rail Commission appointed by the governor.

(14) A representative at-large selected by the president of the Senate.

(15) A representative at-large selected by the speaker of the House of Representatives.

B. The Multimodal Commerce Advisory Commission shall meet and develop an operational plan for the 2016 Regular Session of the Legislature for the following: (1) An allocation of the department employees, equipment, facilities, and funding the commission finds necessary to carry out the functions conferred upon the office of multimodal commerce by the provisions of R.S. 36:508.3 to become effective on July 1, 2016.

(2) The organizational structure of the office of multimodal commerce, with a further initial allocation of the office's powers, duties, responsibilities, officers, equipment, and employees among the specific divisions provided for in R.S. 36:508.3(D), to become effective on July 1, 2016.

(3) Proposed legislation for the 2016 Regular Session of the Legislature necessary to implement the operational plan on July 1, 2016.

C. The operational plan of the Multimodal Commerce Advisory Commission shall be presented to the Senate and House committees on transportation, highways, and public works for their review, amendment, and approval no later than February 1, 2016.

D. A majority of the members of the commission shall constitute a quorum for the purpose of taking any action, and actions of the commission may be taken by an affirmative vote of the members of the commission present.

E. Members of the commission shall serve without compensation, except per diem or expenses reimbursement to which they may be individually entitled as members of the constituent organizations.

F. After July 1, 2016, the commission shall continue to exist in an advisory capacity to the commissioner.

Acts 2014, No. 719, §2, eff. June 18, 2014; Acts 2015, No. 31, §2, eff. July 1, 2015; Acts 2016, No. 324, §1, eff. July 1, 2016.

RS 36:509

§509. Transfer of agencies to Department of Transportation and Development

A. The following agencies are hereby transferred to the Department of Transportation and Development and shall exercise and perform their powers, duties functions, and responsibilities as provided by law:

(1) The Flood Control Project Evaluation Committee (R.S. 38:90.1 et seq.).

(2) The Offshore Terminal Authority (R.S. 34:3101 et seq.).

(3) The Coastal Port Advisory Authority (R.S. 34:3551 et seq.) shall be placed within the office of multimodal planning, Department of Transportation and Development.

B. The Louisiana Professional Engineering and Land Surveying Board (R.S. 37:681 et seq.) is transferred to and hereafter shall be within the Department of Transportation and Development, as provided in R.S. 36:803.

C. The following agencies are hereby abolished, and their powers, duties, functions, and responsibilities are transferred to the secretary of the Department of Transportation and Development and hereafter shall be exercised and performed as provided in R.S. 36:921 et seq.:

(1) Department of Highways (Article VI, Sections 19, 19.2, 19.3, 19.4, 22(1), and 23 of 1921 Louisiana Constitution, made statutory by Article XIV, Section 16(A)(3) of 1974 Louisiana Constitution and such provisions of Title 48 of the Louisiana Revised Statutes of 1950 as apply to the abolished department)

(2) Department of Public Works (R.S. 38:1 and such provisions of Title 38 of the Louisiana Revised Statutes of 1950 as apply to the abolished department)

(3) Board of Public Works (R.S. 38:7 and 16)

(4) State Board of Highways (Article VI, Sections 19, 19.2, 19.3, 19.4, 22(1), and 23 of the 1921 Louisiana Constitution, made statutory by Article XIV, Section 16(A)(3) of the 1974 Louisiana Constitution, and such provision of Title 48 of the Louisiana Revised Statutes of 1950 as directly relate to the board)

(5) Louisiana Expressway Authority (R.S. 48:1251 et seq.)

(6) Larose-Lafitte Toll Road Authority (Act No. 335 of the 1964 Regular Session of the Legislature)

(7) South Central Louisiana Toll Road Authority (Act No. 35 of the 1969 Regular Session of the Legislature)

(8) Mississippi River Bridge Authority

D. The Mississippi River Parkway Commission of Louisiana (R.S. 48:101 et seq.) is placed within the Department of Transportation and Development and shall exercise and perform its powers, duties, functions, and responsibilities as provided for agencies transferred in accordance with the provisions of R.S. 36:901 et seq.

E. The Louisiana Transportation Authority (R.S. 48:2071 et seq.) is placed within the Department of Transportation and Development and shall perform and exercise its powers, duties, functions, and responsibilities in the manner provided for agencies transferred in accordance with the provisions of R.S. 36:801.

F. The following agencies are placed within the Department of Transportation and Development and shall perform and exercise their powers, duties, functions, and responsibilities in accordance with the provisions of R.S. 36:801.1:

(1) The Sabine River Authority, state of Louisiana (Article XIV, Section 45 of 1921 Louisiana Constitution, made statutory by Article XIV, Section 16(A)(10) of 1974 Louisiana Constitution; R.S. 38:2321 et seq.).

(2) The Poverty Point Reservoir District (R.S. 38:3087.1 et seq.).

Acts 1976, No. 513, §1; Acts 1977, No. 83, §1, eff. June 22, 1977; Acts 1979, No. 555, §1, eff. Jan. 1, 1980; Acts 1980, No. 327, §2, eff. July 1, 1980; Acts 1980, No. 760, §2; Acts 1981, No. 773, §2; Acts 1983, No. 97, §7, eff. Feb. 1, 1984; Acts 1984, No. 862, §2. Acts 1984, No. 314, §2; Acts 1985, No. 483, §1; Acts 1985, No. 898, §§1, 3; Acts 1986, No. 962, §§2, 3; Acts 1986, No. 872, §1; Acts 1986, 1st Ex. Sess., No. 32, §8; Acts 1987, No. 205, §2, eff. July 1, 1987; Acts 1988, No. 91, §3; Acts 1988, No. 762, §§2, 3, eff. July 15, 1988; Acts 1988, No. 882, §3; Acts 1989, No. 662, §8, eff. July 7, 1989; Acts 1990, No. 272, §1, eff. Sept. 1, 1990; Acts 1991, No. 23, §2; Acts 1991, No. 750, §1; Acts 1992, No. 888, §1, eff. July 8, 1992; Acts 1997, No.

1116, §2; Acts 1998, 1st Ex. Sess., No. 69, §1, eff. May 1, 1998; Acts 2001, No. 437, §1; Acts 2001, No. 1209, §1; Acts 2002, 1st Ex. Sess., No. 163, §1, eff. April 19, 2002; Acts 2003, No. 71, §1, eff. May 28, 2003; Acts 2003, No. 279, §4; Acts 2003, No. 724, §1, eff. June 27, 2003; Acts 2005, No. 40, §1, eff. June 16, 2005; Acts 2005, No. 93, §1, eff. June 21, 2005; Acts 2005, No. 428, §3, eff. July 1, 2005; Acts 2006, 1st Ex. Sess., No. 6, §2; Acts 2006, No. 761, §§1,2 eff. June 30, 2006; Acts 2007, No. 33, §3, eff. June 18, 2007; Acts 2008, No. 815, §5; Acts 2010, No. 743, §§11, 21, eff. July 1, 2010; Acts 2010, No. 861, §17; Acts 2010, No. 1014, §1; Acts 2010, No. 1014, §5, eff. Jan. 1, 2012; Acts 2011, No. 207, §10(B); Acts 2012, No. 811, §§11, 17, eff. July 1, 2012; Acts 2012, No. 866, §§1, 3, eff. Jan. 1, 2013; Acts 2013, No. 180, §2; Acts 2015, No. 401, §§2, 4; Acts 2019, No. 196, §1, eff. Sept. 1, 2019; Acts 2021, No. 20, §5.

RS 36:511

§511. Contract and purchasing laws applicable to agencies within the department

Notwithstanding any law to the contrary, including any provision of Chapter 11 of Title 38 of the Louisiana Revised Statutes of 1950, the Sabine River Authority and the Poverty Point Reservoir District as provided in R.S. 38:3087.1 et seq. shall be subject to the provisions of Part II of Chapter 10 of Title 38 of the Louisiana Revised Statutes of 1950 as these provisions are applicable to the department.

Acts 1998, 1st Ex. Sess., No. 144, §1, eff. July 1, 1998.