

1 HB402
2 137433-3
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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ENROLLED, An Act,

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

1 expenses of other State Department of Transportation employees
2 are paid. The chief engineer shall give bond for the faithful
3 performance of his or her duties in an amount to be approved
4 by the Governor.

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

11 "§23-1-23.

12 "The chief engineer shall be a ~~registered~~ licensed
13 professional engineer in the State of Alabama with a minimum
14 of 15 years' progressive professional engineering experience
15 pertaining to the planning, development, construction,
16 maintenance, and repair of highways and bridges. ~~He~~ The chief
17 engineer shall either hold a degree in civil engineering from
18 an accredited school of engineering or shall have served at
19 least ten (10) years as a Division Engineer or Bureau Chief
20 with the Department of Transportation ~~school of recognized~~
21 ~~standing. The chief engineer~~ and shall ~~have a detail~~ possess a
22 detailed knowledge of engineering principles and their
23 application ~~pertaining~~ to highways and bridges. ~~He~~ The chief
24 engineer shall ~~maintain citizenship in the State of Alabama~~ be
25 a citizen of this state and shall continuously be a ~~registered~~

1 licensed professional engineer in the State of Alabama as a
2 condition while serving in this office this state while
3 employed.

4 "§23-1-24.

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

22 Section 2. This act shall become effective
23 immediately following its passage and approval by the
24 Governor, or its otherwise becoming law.

