

## Session 119 - (2011-2012)

### S 1162 General Bill, By Grooms, Gregory, Campbell and Rose

**Summary:** Definitions relating to the Department of Transportation

A BILL TO AMEND SECTION 57-1-10 OF THE 1976 CODE, RELATING TO DEFINITIONS CONCERNING THE DEPARTMENT OF TRANSPORTATION, TO REMOVE THE DEFINITION FOR "COMMISSION"; TO AMEND SECTION 57-1-20, RELATING TO THE ESTABLISHMENT OF THE DEPARTMENT OF TRANSPORTATION, TO PROVIDE THAT THE SECRETARY MAY ESTABLISH OTHER DEPARTMENTAL DIVISIONS RATHER THAN THE COMMISSION; TO AMEND SECTION 57-1-40, RELATING TO PROHIBITED ACTS, TO REMOVE REFERENCES TO DEPARTMENT OF TRANSPORTATION COMMISSIONERS; TO AMEND SECTION 57-1-410, TO ADD QUALIFICATIONS TO SERVE AS SECRETARY OF TRANSPORTATION, AND TO PROVIDE THAT A SECRETARY OF TRANSPORTATION APPOINTEE MAY NOT SERVE IN OFFICE UNTIL SCREENED BY THE JOINT TRANSPORTATION SCREENING AND OVERSIGHT COMMISSION; TO REPEAL ARTICLE 3, CHAPTER 1 OF TITLE 7 RELATING TO THE DEPARTMENT OF TRANSPORTATION COMMISSION; TO AMEND SECTION 57-1-430, RELATING TO THE DUTIES AND POWERS OF THE SECRETARY OF TRANSPORTATION, TO REMOVE REFERENCES TO THE DEPARTMENT OF TRANSPORTATION COMMISSION, AND TO VEST THE POWERS AND DUTIES OF THE COMMISSION IN THE SECRETARY; TO AMEND SECTION 57-1-460, RELATING TO THE EVALUATION AND APPROVAL OF ROUTINE OPERATIONS AND MAINTENANCE, TO DELETE THE CURRENT PROVISIONS AND TO PROVIDE THAT CONSULTING CONTRACTS AND SALES OF SURPLUS PROPERTY MUST BE CONDUCTED PURSUANT TO THE CONSOLIDATED PROCUREMENT CODE; TO AMEND SECTION 57-1-470, RELATING TO COMMISSION REVIEW OF ROUTINE MAINTENANCE AND EMERGENCY REPAIR REQUESTS, TO DELETE THE CURRENT PROVISIONS AND TO VEST IN THE SECRETARY THE DUTY TO DEVELOP AND IMPLEMENT THE STATEWIDE TRANSPORTATION PLAN AND THE STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM; TO AMEND SECTION 57-1-490, RELATING TO ANNUAL AUDITS, TO REMOVE REFERENCES TO THE DEPARTMENT OF TRANSPORTATION COMMISSION, AND TO PROVIDE FOR INTERNAL AUDITS PERFORMED BY THE DEPARTMENT OF TRANSPORTATION OFFICE OF INTERNAL AUDIT ESTABLISHED WITHIN THE LEGISLATIVE AUDIT COUNCIL; TO AMEND ARTICLE 7, CHAPTER 1 OF TITLE 57, RELATING TO THE JOINT TRANSPORTATION REVIEW COMMITTEE, TO PROVIDE THAT THE COMMITTEE MAY CONDUCT OVERSIGHT INVESTIGATIONS, TO PROVIDE THAT THE COMMITTEE MUST SCREEN SECRETARY OF TRANSPORTATION APPOINTEES, AND TO DELETE PROVISIONS RELATED TO SCREENING DEPARTMENT OF TRANSPORTATION COMMISSION CANDIDATES; TO AMEND CHAPTER 1, TITLE 57, RELATING TO THE DEPARTMENT OF TRANSPORTATION, BY ADDING ARTICLE 9 TO ESTABLISH THE JOINT TRANSPORTATION PLANNING REVIEW COMMITTEE AND TO PROVIDE FOR ITS MEMBERSHIP, POWERS, DUTIES, AND OBLIGATIONS; TO AMEND CHAPTER 15 OF TITLE 2, RELATING TO THE LEGISLATIVE AUDIT COUNCIL, BY ADDING SECTION 2-15-130, TO ESTABLISH THE DEPARTMENT OF TRANSPORTATION INTERNAL AUDIT OFFICE WITH THE LEGISLATIVE AUDIT COUNCIL, AND TO PRESCRIBE THE INTERNAL AUDIT OFFICE'S POWERS, DUTIES, AND RESPONSIBILITIES; AND TO AMEND CHAPTER 1, TITLE 57, RELATING TO THE DEPARTMENT OF TRANSPORTATION, BY ADDING SECTION 57-1-45 TO PROHIBIT CERTAIN ENGINEERS FROM PARTICIPATING IN DEPARTMENTAL CONTRACTING FOR THREE YEARS AFTER THEY LEAVE THE EMPLOYMENT OF THE DEPARTMENT.

01/31/12 Senate Introduced and read first time (Senate Journal-page 9)

01/31/12 Senate Referred to Committee on Transportation (Senate Journal-page 9)

03/29/12 Senate Committee report: Majority favorable with amend., minority unfavorable Transportation (Senate Journal-page 8)

03/30/12 Scrivener's error corrected