



Rules of
Department of Transportation
Division 10—Missouri Highways and Transportation
Commission
Chapter 1—Organization; General Provisions

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Title 7—DEPARTMENT OF TRANSPORTATION

Division 10—Missouri Highways and Transportation Commission

Chapter 1—Organization; General Provisions

7 CSR 10-1.010 Description, Organization, and Information

PURPOSE: This rule updates the department's organizational structure consistent with the department's current business practices as required by section 536.023, RSMo.

(1) History and Authority. The Highways and Transportation Department was formed when voters approved Constitutional Amendment 2 in November 1979, merging the previously separate Highways and Transportation Departments. Constitutional Amendment 3, approved by voters in 2004, changed the name of the Highways and Transportation Department to the Missouri Department of Transportation (MoDOT or department). Per Article IV, Section 29, Missouri Constitution, MoDOT is governed by the Missouri Highways and Transportation Commission (commission). The commission has authority over all state highways and transportation programs and facilities as provided by Article IV, Sections 29, 30(a), 30(b), and 30(c) of the *Missouri Constitution*. The number, qualifications, compensation, and terms of the members of the commission are fixed by law. Under Chapter 226, RSMo, the bi-partisan commission is comprised of six (6) members. Commission members are appointed by the governor, by and with the consent of the senate, for terms of six (6) years. Not more than three (3) commissioners can be members of the same political party. The director of MoDOT, as the chief executive officer, and secretary, as record keeper for the commission, are appointed by the commission under Chapter 226, RSMo. MoDOT is responsible for the location, design, construction, and maintenance of the state's highway system including accommodation for non-motorized transportation. MoDOT coordinates and cooperates with the owners and operators of transportation facilities and services, which include transit, air, rail, ports, and waterborne commerce. MoDOT works with these groups in the development and improvement of public and special transit systems, airports, rail facilities, and ports. MoDOT administers federal and state funds for various transportation programs as these funds become available. In carrying out these functions, MoDOT works closely with local governments and citizens of the state in the planning

and development of these programs, services, and facilities.

(2) Organization.

(A) General Management.

1. The director is the chief executive officer and is appointed by, and serves at the discretion of, the commission. The director appoints a chief engineer, chief financial officer, chief counsel (with the consent of the commission), and other leaders and employees as the commission may designate and deem necessary. Under the direction of the commission, the director is responsible for the overall operations and performance of the department and prescribes the duties and authority of employees. The selection and removal of all employees is without regard to political affiliation. The duties of the chief engineer, chief financial officer, and chief counsel are as follows:

A. The chief engineer serves as MoDOT's primary advisor regarding engineering issues. This position is responsible for providing general oversight of all planning, design, construction, and maintenance work for the department as determined by the director, including preparation and approval of all engineering documents, plans, and specifications. The chief engineer reports to the director and provides input on overall department decisions;

B. The chief financial officer is responsible for all administrative operations of MoDOT. This position provides general oversight of financial and business planning, information technology, and other administrative and financial functions as determined by the director; and

C. The chief counsel advises and represents the commission and the director in all actions and proceedings to which either may be a party or in proceedings under Chapters 226 and 227, RSMo, or with respect to any law administered by the commission or any order or proceeding of the commission. The chief counsel is responsible for drafting all contracts, conveyances, agreements, or other documents affecting the commission, property held or acquired by it, and any action taken by the commission. The chief counsel, with the director's approval, appoints assistant counsel(s) as necessary to represent the commission and the department.

2. The secretary to the commission is responsible for maintaining records of all proceedings of the commission and is the custodian of all records, documents, and papers filed with the commission, department, and other public governmental bodies established by the commission.

(B) Divisions. MoDOT pursues its mission

through the following divisions:

1. Audits and Investigations is responsible for conducting audits of department operations, external contracts, grant agreements, motor carrier fuel tax returns, and apportioned registrations. The division also investigates: fraud, waste, and abuse; employee grievances; Equal Employment Opportunity complaints; conducts mediations; and analyzes competitive bidding practices;

2. Bridge is responsible for the structural design and detailed plans production for all state highway bridges, including cost estimates and site-specific job special provisions. Additional responsibilities include maintaining the National Bridge Inventory, recommending load posting limits for both state and non-state bridges, bridge inspection, and analyzing structures for special superload overweight permit loads traveling within the state;

3. Communications is responsible for disseminating information on the activities of the commission and MoDOT to the public and to MoDOT personnel. Communications coordinates customer comments to MoDOT through public involvement meetings, customer service representatives, and surveys. Communications helps MoDOT communicate with news media through news releases and personal contact. Communications creates strategies statewide and through MoDOT's districts that educate and inform stakeholders through the web, social media, presentations, video, publications, displays, and other mediums;

4. Construction and Materials is responsible for administering construction contracts awarded by the commission. Contracts are awarded through the competitive bid or design build selection process, and then work is assigned to project offices geographically located throughout the state. Engineers and technicians make owner/engineering decisions, verify contract compliance through testing and inspection, and complete and review documentation necessary to authorize payment. Construction and Materials is responsible for testing to ensure the materials used for maintenance and construction of our transportation system meet the quality standards and specifications;

5. Design is responsible for the location, environmental, and cultural resource studies required for initial evaluation of proposed projects; detailed route studies, ground surveys, and aerial photography; and design and plan preparation including cost estimates for the state transportation projects. Design advertises and makes all preparations for receiving bids for transportation project contracts including the development of specifications and cost estimates prior to advertising for bids. Design



is also responsible for acquisition of right of way required for the construction and maintenance of all state highways in addition to properties incidental to the system of state highways in Missouri, and provides relocation assistance for all persons displaced by the commission's right of way acquisition. Design administers the disposal or lease of land considered excess to commission needs and the regulation of outdoor advertising billboards and junkyards adjacent to regulated state highways. Design administers the Scenic Byway Program;

6. Equal Opportunity and Diversity is responsible for directing the department's Affirmative Action Program and other initiatives aimed at achieving and maintaining a diverse workforce;

7. External Civil Rights is responsible for directing the department's external affirmative action, equal opportunity, and nondiscrimination programs, which include the Disadvantaged Business Enterprise Program, On-the-Job Training Program, Equal Employment Opportunity, Title VI, Americans with Disabilities Act (ADA), and all other nondiscrimination or affirmative action programs related to federal-aid contracting activities;

8. Financial Services is responsible for providing administrative support to MoDOT in accounting, financial reporting, and policy development, building and maintaining an effective system of internal controls, and cost accounting. Financial Services is also responsible for coordinating financial resources and spending plans through forecasting, analysis, and training. Financial Services also performs financial planning and fiscal analysis, budget, federal aid management, and innovative finance administration functions for the department;

9. General Services is responsible for supporting MoDOT activities by providing guidance and support services in the areas of facilities management, procurement, inventory management, fleet management, and equipment repair;

10. Governmental Relations is responsible for acting as MoDOT's liaison between Missouri's congressional delegation, the Missouri Legislature, and local political subdivisions. Staff members review and analyze proposed transportation-related legislation affecting MoDOT and provide either support or options for improving the legislative proposals and public policies impacting the traveling public. Governmental Relations staff also serve as a liaison between MoDOT and national transportation associations;

11. Human Resources is responsible for continually developing and improving human resources' processes that support MoDOT

and its employees in contributing to a quality transportation system. Responsibilities include nationally recruiting college graduates for placement throughout the state and administering employee development programs, personnel policies, the department's pay system, and personnel records;

12. Information Systems is responsible for providing and improving information and communication services used by employees of MoDOT through the operation and maintenance of local and statewide data networks and telephone services. Information Systems staff provide applications programming expertise to support the engineering, financial, operational, and general information needs of MoDOT;

13. Maintenance is responsible for assisting and supporting maintenance activities for the preservation and operation of the state highway system;

14. Motor Carrier Services provides information, credentials, and permits and enforces safety for businesses and individuals interested in commercial property and passenger-carrying operations on public highways in and through Missouri;

15. Multimodal Operations is responsible for administering state and federal programs that support and develop non-highway passenger and freight transportation, which include aviation, railroads, transit, and waterways. Major programs include capital improvements, operating support, technical assistance, safety outreach, and identifying freight efficiencies/opportunities;

16. Risk and Benefits Management is responsible for the management and implementation of medical and life insurance plans for department employees and retirees; administration of MoDOT's self-insurance operations, including workers' compensation, fleet liability, general liability, and property damage recovery; and administration of the safety and health programs;

17. Traffic and Highway Safety is responsible for the safe and efficient movement of people and goods on the state highway system. This includes supporting signing, striping, traffic signals, lighting, intelligent transportation systems (ITS), roadway access, and safety management programs throughout the state. Traffic and Highway Safety is responsible for the coordination of traffic management, incident management, traveler information services, and the radio and emergency communication systems; and is also responsible for planning, directing, and coordinating the solicitation, review, award, and monitoring of federal highway safety grant contracts and concentrates their efforts in the areas of education, enforcement, and engi-

neering to prevent deaths and injuries from motor vehicle accidents; and

18. Transportation Planning is responsible for planning and coordinating a long range, total transportation system for MoDOT. This includes developing the long range transportation plan; developing, coordinating, and tracking the five- (5-) year Statewide Transportation Improvement Program; mapping; collecting, managing, and analyzing data to provide a single source of information to support MoDOT's decision process related to maintenance, construction, and reconstruction of the state transportation system; leading organizational performance management, including the production of MoDOT's quarterly performance management document, Tracker; and facilitating process improvement, customer satisfaction, and problem solving teams to improve operational performance.

(C) Districts. Missouri is geographically divided into seven (7) districts. Each district is led by a district engineer who is responsible for supervising all activities of MoDOT within that particular district. The following counties are included in the indicated districts: Northwest District includes: Andrew, Atchison, Buchanan, Caldwell, Carroll, Chariton, Clinton, Daviess, DeKalb, Gentry, Grundy, Harrison, Holt, Linn, Livingston, Mercer, Nodaway, Putnam, Sullivan, and Worth; Northeast District includes: Adair, Audrain, Clark, Knox, Lewis, Lincoln, Macon, Marion, Monroe, Montgomery, Pike, Ralls, Randolph, Schuyler, Scotland, Shelby, and Warren; Kansas City District includes: Cass, Clay, Jackson, Johnson, Lafayette, Pettis, Platte, Ray, and Saline; Central District includes: Boone, Callaway, Camden, Cole, Cooper, Crawford, Dent, Gasconade, Howard, Laclede, Maries, Miller, Moniteau, Morgan, Osage, Phelps, Pulaski, and Washington; St. Louis District includes: Franklin, Jefferson, St. Charles, St. Louis, and the City of St. Louis; Southwest District includes: Barry, Barton, Bates, Benton, Cedar, Christian, Dade, Dallas, Greene, Henry, Hickory, Jasper, Lawrence, McDonald, Newton, Polk, St. Clair, Stone, Taney, Vernon, and Webster; Southeast District includes: Bollinger, Butler, Cape Girardeau, Carter, Douglas, Dunklin, Howell, Iron, Madison, Mississippi, New Madrid, Oregon, Ozark, Pemiscot, Perry, Reynolds, Ripley, St. Francois, Ste. Genevieve, Scott, Shannon, Stoddard, Texas, Wayne, and Wright.

(D) Assigned Entities. Although assigned to the commission or MoDOT by law for organizational purposes, the following commissions, authorities, and districts operate independently of MoDOT: the Bi-State Metropolitan Development District; the Missouri-St. Louis



Metropolitan Airport Authority; the Kansas City Area Transportation Authority District; and the Mississippi River Parkway Commission. The Mississippi River Parkway Commission was established by section 226.440, RSMo. All the other entities are authorized by section 14 of the Omnibus State Reorganization Act of 1974 and section 226.007, RSMo.

(3) How to Obtain Information. The official residence of the commission, as well as the offices of the director, chief counsel, commission secretary, and divisions of MoDOT, is the Missouri Department of Transportation Building in Jefferson City, Missouri. Written inquiries by the public should be addressed to the Commission Secretary, Missouri Department of Transportation Building, PO Box 270, Jefferson City, MO 65102. The general information telephone number is (573) 751-2551. Inquiries may be made via email to comments@modot.mo.gov. Information from any district office of the department may be obtained in person, by writing, or by telephoning the District Engineer, Missouri Department of Transportation: Northwest District, 3602 North Belt Highway, St. Joseph, MO 64506-1399, (816) 387-2350; Northeast District, 1711 South Highway 61, Hannibal, MO 63401, (573) 248-2490; Kansas City District, 600 NE Colbern Rd., Lee's Summit, MO 64086, (816) 622-6500; Central District, 1511 Missouri Boulevard, PO Box 718, Jefferson City, MO 65102, (573) 751-3322; St. Louis District, 1590 Woodlake Drive, Chesterfield, MO 63017, (314) 275-1500; Southwest District, 3025 East Kearney, PO Box 868, Springfield, MO 65801, (417) 895-7600; and Southeast District, 2675 N. Main Street, PO Box 160, Sikeston, MO 63801, (573) 472-5333.

AUTHORITY: section 536.023, RSMo 2016. Original rule filed Oct. 14, 1976, effective March 1, 1977. Amended: Filed March 4, 1983, effective June 15, 1983. Rescinded and readopted: Filed June 13, 2000, effective Jan. 30, 2001. Amended: Filed June 15, 2006, effective Jan. 30, 2007. Amended: Filed Feb. 5, 2010, effective Sept. 30, 2010. Rescinded and readopted: Filed Feb. 11, 2014, effective Sept. 30, 2014. Amended: Filed Aug. 4, 2016, effective March 30, 2017.*

**Original authority: 536.023, RSMo 1975, amended 1976, 1997, 2004.*

7 CSR 10-1.020 Subpoenas

PURPOSE: Senate Bill 1202, 91st General Assembly, 2nd Regular Session, 2002, trans-

ferred to the commission and MoDOT all powers, duties, and functions of the Division of Motor Carrier and Railroad Safety, including those specifically provided for under section 622.360, RSMo, to issue subpoenas to compel the attendance of witnesses and the production of documents and other evidence in furtherance of investigations into alleged unlawful activity within its jurisdiction. This rule provides the procedure for requesting such subpoenas.

(1) A request for a subpoena as authorized by section 622.360, RSMo, requiring a person to appear and give sworn testimony, or to appear and produce documents, records, or other physical evidence, shall be, by signed writing, directed to either the director, chief engineer, chief financial officer, assistant chief engineer, director of motor carrier services, or director of multimodal operations. The signed, written request shall include the name and address of the witness to be served, propose a suitable time and place for the witness's appearance, and reasonably describe the documents, records, or other physical evidence to be produced. In the case of corporate entities, the request may name the corporation and its registered agent for service of process, and defer to the corporation the designation of an informed corporate officer or safety designee to appear to so testify or produce the particular documents, records, or other physical evidence to be produced.

(2) Upon receipt of a request under section (1) of this rule, the director, chief engineer, chief financial officer, assistant chief engineer, director of motor carrier services, or director of multimodal operations may sign and issue a subpoena. A subpoena may be served by Missouri Department of Transportation (MoDOT) employees and such other persons authorized by law to serve process. Service shall be by personal service on the named witness or service on the registered agent of any named corporation. Within ten (10) days of service of a subpoena, a return of service shall be made to the individual that signed and issued the subpoena.

(3) A subpoena may be enforced by application by the chief counsel to the circuit court of Cole County or any other county in this state where the named witness or corporation shall reside or be found.

AUTHORITY: section 226.008, RSMo 2016. Original rule filed Jan. 27, 2004, effective Aug. 30, 2004. Amended: Filed Oct. 14, 2016, effective July 30, 2017.*

**Original authority: 226.008, RSMo 2002, amended 2014.*