



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 complies with section 536.023, RSMo which requires each state agency to adopt as a rule a description of its operation and the methods whereby the public may obtain information or make submissions or requests.

(1) The Missouri Department of Transportation (MoDOT) was established by legislation passed in 1996 that changed the name of the Highway and Transportation Department to MoDOT. The Highway and Transportation Department was formed when voters approved Constitutional Amendment 2 in November 1979, merging the previously separate Highways and Transportation Departments. MoDOT is governed by the Missouri Highways and Transportation Commission, which appoints a department director as chief executive officer. The number, qualifications, compensation and terms of the members of the commission are fixed by law. The commission has authority over all state transportation programs and facilities as provided by Article IV, Sections 29, 30(a), 30(b) and 30(c) of the *Missouri Constitution*. Under Chapter 226, RSMo, the bi-partisan Highways and Transportation 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. MoDOT's mission is to provide a world-class transportation experience that delights our customers and promotes a prosperous Missouri. MoDOT is responsible for the location, design, construction, and maintenance of the state's highway system. MoDOT coordinates and cooperates with the owners and operators of transportation facilities and services, which include air, rail, ports, waterborne commerce, and transit. MoDOT works with these groups in the development and improvement of airports, rail facilities, ports, waterborne commerce, and public and special transit systems. 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) The commission appoints a director and a secretary under Chapter 226, RSMo.

(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 leaders and employees. The selection and removal of all employees is without regard to political affiliation. The duties of the chief engineer, chief financial officer, chief counsel, and other administrators are as follows:

A. The chief engineer has input on overall department decisions at MoDOT as well as overseeing engineering operations such as planning, construction, and maintenance. This position reports directly to the director and serves as the primary advisor regarding engineering issues. The chief engineer handles MoDOT's day-to-day operations. The chief engineer is also responsible for preparation and approval of all engineering documents, plans, and specifications. This position provides general oversight of all design, construction, and maintenance work for the department as determined by the director.

(I) The director of system management has the overall responsibility for motor carrier services, highway safety, traffic and maintenance, and other activities related to them.

(II) The director of program delivery has the overall responsibility for right of way, construction and materials, transportation planning, highway and bridge design functions, and external civil rights;

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;

C. The director of audits and investigations is responsible for ensuring integrity in the operations of the department, resolving conflicts, and internal and external Equal

Employment Opportunity (EEO) complaints. The director of audits and investigations also is responsible for providing internal control and audit assurance to MoDOT and the commission. Responsibilities include conducting internal reviews of division and district operations to ensure the integrity of financial management in all areas of cost generation and payments;

D. The community relations director is responsible for disseminating information on the activities of the commission and MoDOT to the public and to MoDOT personnel. Community relations coordinates customer comments to MoDOT through public involvement meetings, customer service representatives, and surveys. Community relations helps MoDOT communicate with news media through news releases and personal contact. Community relations also improves MoDOT contact with customers by preparing speeches, publications, displays, and plans for communication and marketing;

E. The governmental relations director is responsible for providing liaison between MoDOT, congressional delegations, and the Missouri Legislature. Staff members disseminate information regarding proposed legislation affecting MoDOT and analyze the content of legislation, legislative proposals, and policy options;

F. The organizational results director is responsible for spearheading and directing organizational performance measures to be reported in the TRACKER. The organizational results director facilitates process improvement, customer satisfaction, and problem solving teams to improve operational performance. The organizational results director also oversees MoDOT's research efforts regarding policy studies, finance, community, and economic development as related to transportation, as well as research in the environmental area;

G. 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. S/he is directly 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 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) MoDOT pursues its mission through the following divisions:

1. 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, and analyzing structures for special superload overweight permit loads traveling within the state;

2. Construction and Materials is responsible for administering all construction contracts awarded by the commission. Contracts are awarded through the competitive bid process, and then work is assigned to project offices located geographically throughout the state. Engineers and technicians assigned to these project offices do field surveying and perform quality control tests on the work performed by contractors to ensure quality construction that improves Missouri's transportation system. Construction and Materials is responsible for sampling and testing of materials used in the construction and maintenance of roadways and structures to ensure compliance with applicable standards and specifications. Construction and Materials personnel analyze pavement designs, roadway foundations, asphaltic concrete, and Portland cement mixtures, as well as carry out soil and subsurface condition surveys and furnish geotechnical information for the design, construction, and maintenance of roads and structures;

3. Controller's Division provides administrative support to MoDOT in accounting, financial reporting and policy development, building and maintaining an effective system of internal controls, and cost accounting;

4. 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;

5. 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;

6. 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;

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

8. Highway Safety is responsible for planning, directing, and coordinating the solicitation, review, award, and monitoring of federal highway safety grant contracts. Highway Safety concentrates their efforts in the areas of education, enforcement, and engineering in order to prevent deaths and injuries from motor vehicle accidents;

9. Human Resources is responsible for continually developing and improving human resource 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;

10. 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;

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

12. 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;

13. Multimodal Operations is responsible for administering state and federal programs that support and develop non-highway passenger and freight transportation, which include airports, passenger/freight rail operations, public transportation, and waterborne commerce. Major programs include capital

improvements, operating support, technical assistance, safety outreach, and identifying freight efficiencies/opportunities;

14. Resource Management is responsible for coordinating financial resources and spending plans through forecasting, analysis, training, and administering the scenic byway program. Resource Management performs financial planning and fiscal analysis, budget, federal aid, and innovative finance administration functions for the department;

15. Right of Way is responsible for acquisition of right of way required for the construction and maintenance of all 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. Right of Way administers the disposal or lease of land considered excess to commission needs and the regulation of outdoor advertising billboards and junkyards adjacent to state highways;

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. Risk and Benefits Management also provides support to the MoDOT and Patrol Employees' Retirement System;

17. Traffic 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 is responsible for the coordination of traffic management, incident management, traveler information services, and telecommunications network; and

18. Transportation Planning is responsible for collecting, managing, and analyzing data to provide a single source of information to support MoDOT's decision process; developing and tracking the 5-Year Highway and Bridge Construction Schedule and the Statewide Transportation Improvement Program; mapping; and developing and coordinating a long range, total transportation system for MoDOT.

(C) Missouri is geographically divided into ten (10) Department of Transportation districts with a district office in each district. Each district office 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 district: District 1 includes: Andrew, Atchison, Buchanan, Caldwell, Clinton, Daviess, DeKalb, Gentry, Harrison, Holt, Nodaway, and Worth; District 2 includes: Adair, Carroll, Chariton, Grundy, Howard, Linn, Livingston, Macon, Mercer, Putnam, Randolph, Saline, Schuyler, and Sullivan; District 3 includes: Audrain, Clark, Knox, Lewis, Lincoln, Marion, Monroe, Montgomery, Pike, Ralls, Scotland, Shelby, and Warren; District 4 includes: Cass, Clay, Henry, Jackson, Johnson, Lafayette, Platte, and Ray; District 5 includes: Benton, Boone, Callaway, Camden, Cole, Cooper, Gasconade, Maries, Miller, Moniteau, Morgan, Osage, and Pettis; District 6 includes: Franklin, Jefferson, St. Charles, St. Louis, and the City of St. Louis; District 7 includes: Barry, Barton, Bates, Cedar, Dade, Jasper, Lawrence, McDonald, Newton, St. Clair, and Vernon; District 8 includes: Christian, Dallas, Douglas, Greene, Hickory, Laclede, Ozark, Polk, Stone, Taney, Webster, and Wright; District 9 includes: Carter, Crawford, Dent, Howell, Iron, Oregon, Phelps, Pulaski, Reynolds, Ripley, Shannon, Texas, and Washington; and District 10 includes: Bollinger, Butler, Cape Girardeau, Dunklin, Madison, Mississippi, New Madrid, Pemiscot, Perry, Scott, St. Francois, Ste. Genevieve, Stoddard, and Wayne.

(D) Although attached to the commission or MoDOT by law for organizational purposes, the following commissions, authorities, and districts operate independently of MoDOT: the Missouri-Tennessee Bridge Commission; 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 is authorized by sections 226.440–226.465, RSMo. All the other entities are authorized by section 14 of the Omnibus State Reorganization Act of 1974.

(3) 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 by sending electronically 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: District 1, 3602 North Belt Highway, St. Joseph, MO 64506-1399, (816) 387-2350; District 2, 902 North Missouri Street, PO Box 8, Macon, MO 63552, (660) 385-3176; District 3, 1711 South Highway 61, PO Box 1067, Hannibal, MO 63401, (573) 248-2490; District 4, 600 NE Colbern Rd., Lee's Summit, MO 64086, (816) 622-6500; District 5, 1511 Missouri Boulevard, PO Box 718, Jefferson City, MO 65102, (573) 751-3322; District 6, 1590 Woodlake Drive, Chesterfield, MO 63017, (314) 275-1500; District 7, 3901 East 32nd Street, Joplin, MO 64804, (417) 621-6500; District 8, 3025 East Kearney, PO Box 868, Springfield, MO 65801, (417) 895-7600; District 9, 910 Springfield Rd., PO Box 220, Willow Springs, MO 65793, (417) 469-3134; and District 10, 2675 N. Main Street, PO Box 160, Sikeston, MO 63801, (573) 472-5333.

AUTHORITY: section 536.023, RSMo Supp. 2009. 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.*

**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, transferred 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 of administrative services, motor carrier services, or 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 the person to appear to so testify or produce the particular documents, or records, or other physical evidence to be produced.

(2) Upon receipt of a request under section (1) of this rule, the director of administrative services, motor carrier services, or 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 director 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 Supp. 2003. Original rule filed Jan. 27, 2004, effective Aug. 30, 2004.*

**Original authority: 226.008, RSMo 2002.*