



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

Title	Page
7 CSR 10-1.010 Description, Organization and Information	3
7 CSR 10-1.020 Subpoenas	5



**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 guided 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 composed of six (6) members and is the governing body of MoDOT. 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) can be members of the same political party. The director of MoDOT, as the chief executive officer; chief counsel, as legal advisor to the commission; and secretary, as record keeper for the commission, are appointed by the commission. MoDOT's mission is to preserve and improve Missouri's transportation system to enhance safety and encourage prosperity. 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 pro

grams, 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, a chief counsel and a secretary under Chapter 226, RSMo.

(A) General Management.

1. The director is the chief executive officer and serves at the discretion of the commission. The director, with the consent and approval of the commission, appoints a chief engineer, chief operating officer, chief financial officer 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 director appoints a chief engineer, chief operating officer, chief financial officer and other administrators with duties as follows:

A. The chief engineer is 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 operations has the overall responsibility for construction, materials, traffic and maintenance, and other activities related to them.

(II) The director of project development has the overall responsibility for right-of-way, and highway and bridge design functions.

B. The chief operating 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.

(I) The director of planning is responsible for coordinating MoDOT's strategic plan and multimodal operations, as well as managing all aspects of transportation planning including condition analysis, research development and technology, project programming, long-range needs identification and transportation policy analysis.

(II) The chief financial officer has the overall responsibility for the business planning, accounting, reporting and interpreting, information systems, insurance and liability functions.

(III) The director of administrative services has overall responsibility for human resource programs and general services provided to MoDOT.

C. The inspector general is responsible for ensuring the integrity in the operations of the department, resolving conflicts and carrying forward MoDOT's commitment to equal employment opportunity and affirmative action both internally and with the contractors with whom MoDOT does business.

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

E. The director of governmental affairs 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.

2. 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 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 commission approval, appoints assistant counsel as necessary to represent the commission and the department.

3. The commission secretary 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 functional units:

1. Audit and business analysis is responsible for providing internal control and audit assurance to MoDOT and the commission. Responsibilities include conducting internal



reviews of functional unit and district operations to ensure the integrity of financial management in all areas of cost generation and payments.

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

3. Construction 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.

4. Controller's office support is responsible for providing administrative support to MoDOT in the areas of accounting, expenditure control and benefits.

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.

6. General services is responsible for proper maintenance and repair of equipment and facilities owned by the commission, as well as the procurement of all equipment, materials, supplies, parts and furniture required for operations of MoDOT. Responsibilities also include various support services such as mapping and graphics, photography, warehousing and flight operations.

7. 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 recruiting nationally for college graduates for placement throughout the state and administering employee development programs, personnel policies, the department's pay system and personnel records.

8. 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.

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

10. Materials is responsible for sampling and testing of all materials used in the construction and maintenance of roadways and structures to insure compliance with applicable standards and specifications. 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.

11. Multimodal operations is responsible for administering state and federal programs and funds by coordinating and cooperating with owners and operators of the various nonhighway transportation systems which include air, rail, waterways and transit.

A. The aviation section is responsible for developing aviation facilities and services.

B. The railroads section is responsible for improving rail freight and passenger service by working with federal agencies and the railroads.

C. The waterways section is responsible for developing and promoting appropriate use of navigable waterways, including the development of ports.

D. The transit section is responsible for developing or assisting in developing public transit systems, including systems for the elderly and handicapped, in both urban and rural areas.

12. Research and development technology is responsible for conducting research in the area of new products and construction materials and methods to determine their suitability for highway purposes.

13. Resource management is responsible for coordinating financial resources and spending plans through forecasting, analysis and training.

14. 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 dis-

placed by the commission's right-of-way acquisition. Right-of-way administers the disposal or lease of land considered excess to commission needs, the regulation of outdoor advertising billboards and junkyards adjacent to state highways, and the scenic byway program.

15. Risk management is responsible for administration of the MoDOT's self-insurance operations and is responsible for workers' compensation, fleet liability, general liability and property damage recovery. Also included under the risk management umbrella are the safety and health programs.

16. Strategic planning and policy is responsible for developing and implementing MoDOT's strategic plan; regulation review and compliance; and policy development.

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.

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; coordinating MoDOT's local programs; 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 the 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-Illinois Bridge Commission—Ste. Genevieve; the Missouri-Illinois Bridge Commission—Canton; the Missouri-Illinois-Jefferson-Monroe Bridge Commission; 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 functional units of MoDOT, is the State Highways and Transportation Building in Jefferson City, Missouri. Written inquiries by the public should be addressed to the Commission Secretary, State Highways and Transportation Building, P.O. Box 270, Jefferson City, MO 65102. The general information telephone number is (573) 751-2551. Inquiries may be made via E-mail by sending electronically to comments@mail.modot.state.mo.us. 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, P. O. Box 287, St. Joseph, MO 64502, (816) 387-2350; District 2, U.S. Route 63, P.O. Box 8, Macon, MO 63552, (660) 385-3176; District 3, 1711 South Route 61, P.O. Box 1067, Hannibal, MO 63401, (573) 248-2490; District 4, 600 NE Colbern Rd., P.O. Box 648002, Lee's Summit, MO 65064, (816) 622-6500; District 5, 1511 Missouri Boulevard, P.O. Box 718, Jefferson City, MO 65102, (573) 751-3322; District 6, 1590 Woodlake Drive, Chesterfield, MO 63017, (314) 340-4100; District 7, 3901 East 32nd Street, P.O. Box

1445, Joplin, MO 64802, (417) 629-3300; District 8, 3025 East Kearney, M.P.O. Box 868, Springfield, MO 65801, (417) 895-7600; District 9, 910 Springfield Rd., P.O. Box 220, Willow Springs, MO 65793, (417) 469-3134; and District 10, 2675 N. Main Street, P.O. Box 160, Sikeston, MO 63801, (573) 472-5333.

AUTHORITY: section 536.023, RSMo Supp. 1999. 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.*

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

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 Mis-

souri 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.*