

ACT No. 375

2025 Regular Session

HOUSE BILL NO. 528

BY REPRESENTATIVES BOURRIAQUE AND ROMERO

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AN ACT

To amend and reenact R.S. 36:501(C)(1), 502(A) and (B), 505, 508(A) through (D) and (F) and (G), 508.1, 508.2(A) and (B), and 508.3(A)(2) and (3) and to enact R.S. 36:4(B)(38), 504(B)(6) and (7), 506(E) through (F), 508(H) and (I), 508.5, and 508.6, relative to the office of Louisiana Highway Construction under the division of administration; to add the office of transformation and the office of project delivery to the composition of the Department of Transportation and Development; to reconstruct the functions, powers, and duties of officers of the department; to change the appointing authority of certain officials; to require the office of transformation to operate under the supervision of the office of project delivery; to designate certain powers and duties to the assistant secretary for project delivery; to remove the powers and duties of the office of planning; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 36:501(C)(1), 502(A) and (B), 505, 508(A) through (D) and (F) and (G), 508.1, 508.2(A) and (B), and 508.3(A)(2) and (3) are hereby amended and reenacted and R.S. 36:4(B)(38), 504(B)(6) and (7), 506(E) through (F), 508(H) and (I), 508.5, and 508.6 are hereby enacted to read as follows:

§4. Structure of executive branch of state government

* * *

1 B. The office of the governor shall be in the executive branch of state
 2 government. The governor may allocate within his office the powers, duties, funds,
 3 functions, appropriations, responsibilities, and personnel of the agencies within his
 4 office and provide for the administration thereof and for the organization of his
 5 office. The following agencies and their powers, duties, functions, and
 6 responsibilities are hereby transferred to the office of the governor:

7 * * *

8 (38) Office of Louisiana Highway Construction under the division of
 9 administration.

10 * * *

11 §501. Department of Transportation and Development; creation; domicile;
 12 composition; purposes and functions

13 * * *

14 C.(1) The Department of Transportation and Development shall be
 15 composed of the executive office of the secretary, the office of transformation, the
 16 office of management and finance, ~~the office of engineering~~, the office of ~~planning~~
 17 project delivery, the office of operations, the office of multimodal commerce, and
 18 such other offices as shall be created by law.

19 * * *

20 §502. Officers of the department; compensation for one office only

21 A.(1) The officers of the department shall be the secretary, undersecretary,
 22 deputy secretary, ~~chief engineer~~, assistant secretary of ~~planning~~ project delivery,
 23 commissioner of multimodal commerce, and assistant secretary of operations, each
 24 of whom shall be selected and shall perform functions as provided in this Title.

25 (2) The secretary, undersecretary, deputy secretary, assistant secretary of
 26 planning project delivery, assistant secretary of operations, executive director of the
 27 Offshore Terminal Authority, commissioner of multimodal commerce, and such
 28 other positions which may be authorized by the State Civil Service Commission or
 29 the state constitution shall be ~~the only~~ unclassified positions in the Department of
 30 Transportation and Development. All other positions in the department ~~shall~~ may

1 be in the classified state service. The secretary shall fill such positions as in his
2 opinion and judgment are necessary to the operation of the department in accordance
3 with applicable rules and regulations of the State Civil Service Commission and
4 applicable law.

5 B. No person serving as a secretary, undersecretary, deputy secretary, ~~chief~~
6 ~~engineer~~, assistant secretary of ~~planning project delivery~~, assistant secretary of
7 operations, commissioner of multimodal commerce, or in any other office in the
8 department shall receive any additional salary from the state other than that salary
9 which he receives by virtue of serving in any one of such offices. Any statewide
10 elected official appointed to serve as a secretary or deputy secretary shall not receive
11 any additional salary from the state other than that salary which he receives as a
12 statewide elected official.

13 * * *

14 §504. Powers and duties of secretary of transportation and development

15 * * *

16 B. The secretary shall have authority to:

17 * * *

18 (6) Eliminate positions within the department deemed to be unnecessary in
19 fulfilling the goals of the office of transformation in accordance with civil service
20 rules.

21 (7) Enter into agreements with other state agencies for the purpose of
22 developing and implementing programs that ensure adequate, safe, and efficient
23 transportation and public works infrastructure and services throughout the state.

24 (8) To utilize any lawful means to monitor, enforce, and collect penalties for
25 violations occurring within state construction zones. The provisions of this Section
26 shall be applicable notwithstanding any provision of law to the contrary.

27 §505. Deputy secretary; functions; office of transformation

28 A. There ~~may~~ shall be a deputy secretary of the department, who shall be
29 appointed by the ~~secretary~~ governor and shall serve as the appointing authority for

1 engineering in Louisiana. The ~~chief engineer~~ assistant secretary shall give his whole
 2 time to the duties of his office.

3 C. The ~~chief engineer~~ assistant secretary shall have authority subject to
 4 approval of the secretary and in accordance with applicable rules and regulations of
 5 the civil service commission to employ, appoint, transfer, assign, and promote such
 6 personnel as is necessary for the efficient administration of the office of ~~engineering~~
 7 project delivery.

8 D. The ~~chief engineer~~ assistant secretary shall receive an annual salary fixed
 9 by the in accordance with civil service rules, governor, payable monthly out of funds
 10 which salary shall not exceed the amount approved for such position by the
 11 legislature while in session. ~~appropriated therefor and shall be allowed his actual and~~
 12 ~~necessary traveling expenses incurred in the discharge of his official duties.~~

13 * * *

14 F. The chief engineer shall approve all plans, specifications, and estimates
 15 for the construction of all facilities and projects for which his office is responsible.
 16 He also shall have such other duties as may be assigned to him by the secretary or
 17 the assistant secretary, by the provisions of this Chapter, or by the laws of this state.
 18 He shall report the proceedings of his office annually to the secretary of the
 19 department and at such other times as the secretary may designate, and he shall make
 20 any additional reports as are required by the secretary.

21 G. ~~The secretary or the chief engineer with approval of the secretary may~~
 22 ~~designate a licensed engineer in the office of engineering to perform any duties~~
 23 ~~required of the chief engineer when the chief engineer is absent or incapacitated.~~
 24 The assistant secretary in consultation with the chief engineer and with approval of
 25 the secretary may designate a licensed engineer in the office of project delivery to
 26 perform any duties required of the chief engineer when the chief engineer is absent.

27 H. The strategic mission of the assistant secretary shall be to, whenever
 28 possible, employ individuals skilled in project delivery and contract management
 29 who are not also licensed professional engineers.

1 I. The assistant secretary and the unclassified direct reports under his
2 direction shall maximize to the fullest extent possible the privatization of services
3 and functions within the office.

4 ~~§508.1. Office of planning, functions, assistant secretary, powers and duties~~

5 ~~A. There is hereby created within the Department of Transportation and~~
6 ~~Development, the office of planning, which shall administer the planning and~~
7 ~~programming matters of the department related to strategic and intermodal issues,~~
8 ~~highways, bridge and pavement management, data collection and analysis,~~
9 ~~congestion, safety, aviation, public transportation, public mass transit, and railroad~~
10 ~~and water transportation systems, and related matters, and any other special~~
11 ~~programs as may be directed by the secretary.~~

12 ~~B. The office of planning shall be under the immediate supervision of the~~
13 ~~assistant secretary, who shall be appointed by the governor and shall serve at the~~
14 ~~pleasure of the secretary. The assistant secretary shall be a competent engineer or~~
15 ~~an urban or regional transportation planner of recognized ability and standing who~~
16 ~~is familiar with the operations of public transportation departments and who, at a~~
17 ~~minimum, has earned a bachelor's degree. The assistant secretary shall give his~~
18 ~~whole time to the duties of his office.~~

19 ~~C. The assistant secretary shall have authority subject to approval of the~~
20 ~~secretary and in accordance with applicable rules and regulations of the civil service~~
21 ~~commission to employ, appoint, transfer, assign, and promote such personnel as is~~
22 ~~necessary for the efficient administration of the office of planning and programming.~~

23 ~~D. The assistant secretary shall receive an annual salary fixed by the~~
24 ~~governor, which salary shall not exceed the amount approved for such position by~~
25 ~~the legislature while in session, payable monthly out of funds appropriated therefor~~
26 ~~and shall be allowed his actual and necessary traveling expenses incurred in the~~
27 ~~discharge of his official duties.~~

28 ~~E. The assistant secretary shall administer all department functions and~~
29 ~~duties for which the office of planning is responsible. He shall also have such other~~
30 ~~duties as may be assigned to him by the secretary, by the provisions of this Chapter,~~

1 development, and shall serve as a basis for the systematic ranking and scheduling of
2 project delivery.

3 (3) Develop standardized project selection templates for use across the
4 department's various programs. The templates shall identify the necessary data
5 elements and evaluation criteria required for the identification, assessment, and
6 prioritization of departmental projects in a consistent and objective manner.

7 (4) Identify routine pavement preservation projects that are appropriate for
8 management and execution solely by the department's district personnel. Upon such
9 identification, responsibility for the implementation of said projects shall be
10 transferred to the respective district offices, with the goal of enhancing operational
11 efficiency and localized project delivery.

12 (5) Identify and implement opportunities to outsource routine maintenance
13 activities in order to more effectively provide safety-critical repair and maintenance
14 of the state highway system in a timely manner.

15 §508.6. Departmental reform; directive and authority to restructure and organize

16 A. The Department of Transportation and Development is hereby directed
17 to fully leverage the office of transformation to hold each office of the department
18 accountable to optimize the respective functions under the direction of the deputy
19 secretary.

20 B.(1) It shall be the charge of the office of transformation to have established
21 and empowered a central Department of Transportation and Development data
22 management role and program, for implementation of a data asset management
23 process, documented and formalized for key products, implemented modern standard
24 data architecture, tools, and practices; for centralized data management and analytics,
25 and enabled collaboration by default.

26 (2) Alternatively, the office of transformation shall examine best practices
27 to develop and implement a state-of-the-art internal information system that
28 conveniently and accurately monitors the status of the department's functions
29 statewide.

1 C. The department shall have enacted comprehensive, department-wide
 2 reforms of the access permit process to include the policy, administrative code,
 3 engineering directives and standards manual, and online application processes by
 4 June 30, 2026.

5 D. The department shall modernize and reform project development and
 6 execution across the entire department to stabilize letting and to remit payments to
 7 vendors and contractors on a bi-monthly basis, consistent with the terms of its
 8 contracts, no later than June 30, 2026.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____