

2026 Regular Session

HOUSE BILL NO. 1037

BY REPRESENTATIVE BOURRIAQUE

TRANSPORTATION DEPT: Modifies operations and certain positions within the Department of Transportation and Development

1 AN ACT

2 To amend and reenact R.S. 36:502(A) and (B), 503, 505(A) and (B), 506(A) through (C),
3 508(A) through (C) and (F), 508.2(A) through (C), (E), and (F), and 508.6(C) and
4 (D) and to enact R.S. 36:505.1, relative to operational reforms within the Department
5 of Transportation and Development; to provide for the creation of the position of
6 chief operating officer within the department; to provide for the duties of the chief
7 operating officer; to provide for the duties of the deputy secretary within the office
8 of transformation; to extend the deadline for the department to implement certain
9 changes and reforms; to extend the deadline for the department to remitting payment
10 to vendors and contractors; to provide for an effective date; and to provide for related
11 matters.

12 Be it enacted by the Legislature of Louisiana:

13 Section 1. R.S. 36:502(A) and (B), 503, 505(A) and (B), 506(A) through (C), 508(A)
14 through (C) and (F), 508.2(A) through (C), (E), and (F), and 508.6(C) and (D) are hereby
15 amended and reenacted and R.S. 36:505.1 is hereby enacted to read as follows:

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

17 A.(1) The officers of the department shall be the secretary, undersecretary,
18 deputy secretary, chief operating officer, assistant secretary of project delivery,

1 commissioner of multimodal commerce, and assistant secretary of operations, each
2 of whom shall be selected and shall perform functions as provided in this Title.

3 (2) The secretary, undersecretary, deputy secretary, chief operating officer,
4 assistant secretary of project delivery, assistant secretary of operations, executive
5 director of the Offshore Terminal Authority, commissioner of multimodal
6 commerce, and such other positions which may be authorized by the State Civil
7 Service Commission or the state constitution shall be unclassified positions in the
8 Department of Transportation and Development. All other positions in the
9 department may be in the classified state service. The secretary shall fill such
10 positions as in his opinion and judgment are necessary to the operation of the
11 department in accordance with applicable rules and regulations of the State Civil
12 Service Commission and applicable law.

13 B. No person serving as a secretary, undersecretary, deputy secretary, chief
14 operating officer, assistant secretary of project delivery, assistant secretary of
15 operations, commissioner of multimodal commerce, or in any other office in the
16 department shall receive any additional salary from the state other than that salary
17 which he receives by virtue of serving in any one of such offices. Any statewide
18 elected official appointed to serve as a secretary or deputy secretary shall not receive
19 any additional salary from the state other than that salary which he receives as a
20 statewide elected official.

21 * * *

22 §503. Secretary of transportation and development

23 There shall be a secretary of transportation and development who shall be
24 appointed by the governor with consent of the Senate. He shall serve at the pleasure
25 of the governor at a salary fixed by the governor, which salary shall not exceed the
26 amount approved for such position by the legislature while in session. He shall be
27 the appointing authority for the department in accordance with civil service rules and
28 regulations. The secretary shall serve as the executive head ~~and chief administrative~~
29 ~~officer~~ of the Department of Transportation and Development and shall have the

1 responsibility for the policies of the department, except as specifically provided for
2 particular agencies transferred to or placed within the department by other provisions
3 of this Title. He shall also be responsible for the administration, control, and
4 operation of the functions, programs, and affairs of the department; provided that the
5 secretary shall perform his functions under the general control and supervision of the
6 governor.

7 * * *

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

9 A. There shall be a deputy secretary of the department, who shall be
10 appointed by the governor and shall serve as the appointing authority for the office
11 of transformation. He shall serve at the pleasure of the governor at a salary fixed by
12 the governor, which salary shall not exceed the amount approved for such position
13 by the legislature while in session. The duties and functions of the deputy secretary
14 shall be to serve as the chief administrative officer and oversee the office of
15 transformation which shall include all duties, responsibilities, and authorities
16 necessary and lawful to optimize the department and those otherwise assigned by the
17 secretary. He shall serve as acting secretary in the absence of the secretary.

18 B. If the position of deputy secretary is not filled during the absence of the
19 secretary, the secretary may designate either the undersecretary or the ~~assistant~~
20 ~~secretary for project delivery~~ chief operating officer to serve as acting secretary in
21 his absence. The secretary shall notify the governor in writing of his temporary
22 appointment of an acting secretary in his absence. The governor shall have the full
23 authority to revoke the appointment. In no event shall the temporary appointment
24 exceed thirty days in length, except with the specific written approval of the
25 governor. The governor may appoint a temporary secretary to act in the absence or
26 incapacity of the secretary if an acting secretary has not been appointed.

27 * * *

1 §505.1. Chief operating officer; functions; office of project delivery

2 There shall be a chief operating officer of the department, who shall be
3 appointed by the secretary. He shall serve at the pleasure of the secretary at a salary
4 fixed by the governor, which shall not exceed the amount approved for the position
5 by the legislature while in session. The duties and functions of the chief operating
6 officer shall be to supervise and direct the assistant secretary of the office of project
7 delivery and the assistant secretary of operations and those duties otherwise assigned
8 by the secretary.

9 §506. Undersecretary; functions; office of management and finance

10 A. There shall be an undersecretary of the Department of Transportation and
11 Development who shall be appointed by the governor. He shall serve at the pleasure
12 of the secretary at a salary fixed by the governor, which salary shall not exceed the
13 amount approved for such position by the legislature while in session, and shall
14 receive an annual salary payable monthly out of funds appropriated therefor, and
15 shall be allowed his actual necessary traveling expenses incurred in the discharge of
16 his official duties. The undersecretary shall be directly responsible to and shall
17 perform his functions under the supervision and control of the secretary and the
18 deputy secretary.

19 B. The undersecretary shall direct and be responsible for the functions of the
20 office of management and finance within the Department of Transportation and
21 Development. In ~~such~~ this capacity he shall be responsible for accounting and
22 budget control, procurement, data processing, management and program analysis,
23 personnel management, and grants management for the department and all of its
24 offices, including all agencies transferred to the Department of Transportation and
25 Development, except as otherwise specifically provided in this Title. He shall
26 employ, appoint, remove, assign, and promote such personnel as is necessary for the
27 efficient administration of the office of management and finance and the
28 performance of its powers, duties, functions, and responsibilities, in accordance with
29 applicable civil service laws, rules, and regulations, and with policies and rules of

1 the department, all subject to budgetary control and applicable laws. The
2 undersecretary shall exercise all powers and authority granted to him in this Title
3 subject to the overall direction and control of the secretary and the deputy secretary.

4 C. The duties and functions of the office of management and finance and of
5 the undersecretary shall be as provided in this Section, and these duties and functions
6 shall not be subject to change by the secretary or the deputy secretary, except that the
7 undersecretary shall perform such additional duties and functions as are assigned by
8 the secretary or the deputy secretary.

9 * * *

10 §508. Office of project delivery; functions; assistant secretary; powers and duties

11 A. There is hereby created within the Department of Transportation and
12 Development, the office of project delivery, which shall administer engineering
13 matters related to the state's highway program with respect to project development,
14 planning, design, construction, maintenance, extension, improvement, and regulation
15 of roads, highways, expressways, bridges, and related matters, and any other special
16 highway engineering program as may be directed by the secretary or the chief
17 operating officer. The office shall also administer the public works functions of the
18 state related to flood and drainage control, reclamation, water resources, soil
19 conservation, mapping, disaster relief, and related matters, the state's participation
20 in the National Flood Insurance Program, 42 U.S.C. 4001 et seq., and other special
21 programs as may be directed by the secretary or the chief operating officer.

22 B. The office of project delivery shall be under the immediate supervision
23 of the assistant secretary, who shall be appointed by the secretary. The assistant
24 secretary shall serve at the pleasure of the secretary and under the direct supervision
25 of the chief operating officer. He may be licensed to practice civil engineering in
26 Louisiana. The assistant secretary shall give his whole time to the duties of his
27 office.

28 C. The assistant secretary shall have authority subject to approval of the
29 secretary or chief operating officer and in accordance with applicable rules and

1 regulations of the civil service commission to employ, appoint, transfer, assign, and
2 promote such personnel as is necessary for the efficient administration of the office
3 of project delivery.

4 * * *

5 F. The chief engineer shall approve all plans, specifications, and estimates
6 for the construction of all facilities and projects for which ~~his~~ the office is
7 responsible. He also shall have such other duties as may be assigned to him by the
8 secretary or the assistant secretary, by the provisions of this Chapter, or by the laws
9 of this state. He shall report ~~the his~~ his proceedings ~~of his office~~ annually to the
10 secretary of the department and at such other times as the secretary may designate,
11 and he shall make any additional reports as are required by the secretary.

12 * * *

13 §508.2. Office of operations; functions; assistant secretary; powers and duties

14 A. There is hereby created within the Department of Transportation and
15 Development, the office of operations, which shall administer all matters related to
16 the operations of the department's district offices and other matters as may be
17 directed by the secretary or the chief operating officer.

18 B. The office of operations shall be under the immediate supervision of the
19 assistant secretary, who shall be appointed by the governor and shall serve at the
20 pleasure of the secretary and under the direct supervision of the chief operating
21 officer.

22 C. The assistant secretary shall have authority, subject to approval of the
23 secretary or the chief operating officer and in accordance with applicable rules and
24 regulations of the civil service commission, to employ, appoint, transfer, assign, and
25 promote such personnel as is necessary for the efficient administration of the office
26 of operations.

27 * * *

28 E. The assistant secretary shall administer all department functions and
29 duties for which the office of operations is responsible. He shall also have such other

1 duties as may be assigned to him by the secretary or the chief operating officer, by
 2 the provisions of this Chapter, or by the laws of this state. He shall report ~~the~~ his
 3 proceedings ~~of his office~~ annually to the ~~secretary of the department~~ chief operating
 4 officer and at such other times as the ~~secretary~~ chief operating officer may designate,
 5 and he shall make any additional reports as are required by the ~~secretary~~ chief
 6 operating officer.

7 F. The secretary or the chief operating officer is specifically authorized and
 8 empowered to perform any of the duties of the assistant secretary when the assistant
 9 secretary is absent or incapacitated or when in the opinion of the secretary or the
 10 chief operating officer it would be in the best interest of the department. The
 11 assistant secretary with approval of the ~~secretary~~ chief operating officer may
 12 designate a senior staff member in the office of operations to perform any duties
 13 required of the assistant secretary.

14 * * *

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

16 * * *

17 C. The department shall have enacted comprehensive, department-wide
 18 reforms of the access permit process to include the policy, administrative code,
 19 engineering directives and standards manual, and online application processes by
 20 June 30, ~~2026~~ 2027.

21 D. The department shall modernize and reform project development and
 22 execution across the entire department to stabilize letting and to remit payments to
 23 vendors and contractors on a bi-monthly basis, consistent with the terms of its
 24 contracts, no later than June 30, ~~2026~~ 2027.

25 Section 2. This Act shall become effective upon signature by the governor or, if not
 26 signed by the governor, upon expiration of the time for bills to become law without signature
 27 of the governor, as provided in Article III, Section 18 of the Constitution of Louisiana. If
 28 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 29 effective on the day following such approval.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 1037 Reengrossed

2026 Regular Session

Bourriaque

Abstract: Modifies certain procedures to reform operations within the Dept. of Transportation and Development and provide for the creation and duties of the chief operating officer.

Present law (R.S. 36:502(A)(1)) specifies that the secretary, undersecretary, deputy secretary, assistant secretary of project delivery, commissioner of multimodal commerce, and assistant secretary of operation are officers of the Dept. of Transportation and Development (DOTD).

Proposed law adds the chief operating officer as an officer within the DOTD.

Present law (R.S. 36:502(A)(2)) requires that the secretary, undersecretary, deputy secretary, assistant secretary of project delivery, assistant secretary of operations, executive director of the Offshore Terminal Authority, commissioner of multimodal commerce, and such other positions which may be authorized by the State Civil Service Commission or the state constitution be unclassified positions in the DOTD.

Proposed law adds the chief operating officer as an unclassified position within the DOTD.

Present law (R.S. 36:502(B)) prohibits any person serving as a secretary, undersecretary, deputy secretary, assistant secretary of project delivery, assistant secretary of operations, commissioner of multimodal commerce, or in any other office in the DOTD to receive any additional salary from the state other than that salary which he receives by virtue of serving in any one of such offices.

Proposed law adds the chief operating officer as a person prohibited from receiving any additional salary from the state.

Present law (R.S. 36:503) provides for the appointment, duties, and responsibilities of the secretary of the DOTD. Requires that the secretary be the executive head and chief administrative officer of the DOTD. Specifies that the secretary is responsible for the policies of the dept., except as specifically provided for particular agencies transferred to or placed within the dept. by other provisions of present law.

Proposed law removes the requirement that the secretary serve as the chief administrative officer of the DOTD.

Present law (R.S. 36:505(A)) provides for the appointment, duties, and responsibilities of the deputy secretary of the DOTD, appointed by the governor, and serves as the appointing authority for the office of transformation. Further requires that the duties and functions of the deputy secretary be to oversee the office of transformation to optimize the DOTD and those otherwise assigned by the secretary.

Proposed law adds an additional duty and function of the deputy secretary to serve as the chief administrative officer of the office of transformation.

Present law (R.S. 36:505(B)) specifies that if the position of the deputy secretary is not filled during the absence of the secretary, the secretary may designate either the undersecretary or the assistant secretary of project delivery to serve as acting secretary in his absence.

Proposed law changes from the assistant secretary of project delivery to the chief operating officer who may be designated to serve as acting secretary in the absence of the secretary of the DOTD.

Proposed law (R.S. 36:505.1) requires there be a chief operating officer of the office of project delivery who is appointed by the secretary. Further requires he serve at the pleasure of the secretary at a salary fixed by the governor, not to exceed the amount approved for the position by the legislature while in session. Additionally requires that the duties and functions of the chief operating officer be to supervise and direct the assistant secretary of the office of project delivery and the assistant secretary of operations and those duties otherwise assigned by the secretary.

Present law (R.S. 36:506(A)) provides for the appointment and salary of the undersecretary of the DOTD, office of management and finance (OM&F). Further requires that the secretary supervise the undersecretary.

Proposed law adds the deputy secretary as a person to supervise the undersecretary of the OM&F.

Present law (R.S. 36:506(B)) provides for the responsibilities, duties, and functions of the undersecretary within the DOTD, OM&F. Further requires the undersecretary exercise all powers and authority granted to him in present law subject to the overall direction and control of the secretary.

Proposed law adds the deputy secretary as a person to exercise overall direction and control of the powers of the undersecretary.

Present law (R.S. 36:506(C)) specifies that the duties and functions of the OM&F and the undersecretary are not be subject to change by the secretary, except that the undersecretary must perform such additional duties and functions as are assigned by the secretary.

Proposed law adds the requirement that the deputy secretary not modify the duties and functions of the OM&F and of the undersecretary. Further requires that the undersecretary perform additional duties and functions assigned by the secretary or the deputy secretary.

Present law (R.S. 36:508(A)) provides for the creation of the office of project delivery (OPD) within the DOTD. Further specifies the functions, powers, and duties of the OPD. Additionally specifies certain programs and projects directed to the OPD by the secretary of the DOTD.

Proposed law adds that the chief operating officer may also direct the OPD to administer certain programs and projects.

Present law (R.S. 36:508(B)) requires the OPD be under the immediate supervision of the assistant secretary of the DOTD. Further requires that the assistant secretary serve at the pleasure of the secretary.

Proposed law adds that the assistant secretary be under the direct supervision of the chief operating officer.

Present law (R.S. 36:508(C)) requires the assistant secretary have the authority subject to approval of the secretary in accordance with applicable rules and regulations of the civil service commission to employ, appoint, transfer, assign, and promote personnel as is necessary for the efficient administration of the OPD.

Proposed law includes the chief operating officer as having approval authority over the assistant secretary's ability to employ, appoint, transfer, assign, and promote personnel as is necessary for the efficient administration of the OPD.

Present law (R.S. 36:508(F)) requires the chief engineer approve all plans, specifications, and estimates for the construction of all facilities and projects within the OPD. Further requires that he have other duties that may be assigned to him by the secretary or the assistant secretary, by the provisions of present law, or by the laws of this state. Additionally requires he report his office proceedings annually to the secretary of the DOTD and any other times as designated by secretary, with any additional reports as are required by the secretary.

Proposed law clarifies present law by changing from his office to the office applicable to the chief engineer's approval of all plans, specifications, and estimates for construction of all facilities and projects. Further changes from the proceedings of his office to his proceedings in the annual report to the secretary.

Present law (R.S. 36:508.2(A)) creates the office of operations within the DOTD, which administers all matters related to the operations of the DOTD district offices, and other matters directed by the secretary.

Proposed law authorizes the chief operating officer to direct the operations within the office of operations.

Present law (R.S. 36:508.2(B)) requires the office of operations be under the immediate supervision of the assistant secretary, who is appointed by the governor and serves at the pleasure of the secretary.

Proposed law specifies that the chief operating officer directly supervises the assistant secretary within the office of operations.

Present law (R.S. 36:508.2(C)) requires the assistant secretary have authority, subject to the approval of the secretary and in accordance with applicable rules and regulations of the civil service commission, to employ, appoint, transfer, assign, and promote personnel as is necessary for the efficient administration of the office of operations.

Proposed law includes the chief operating officer as one to approve the assistant secretary's authority to employ, appoint, transfer, assign, and promote personnel as is necessary for the efficient administration of the office of operations.

Present law (R.S. 36:508.2(E)) requires the secretary assign the assistant secretary functions and duties within the office of operations. Further requires the assistant secretary report the proceedings of his office annually to the secretary of the DOTD and authorizes the secretary to designate, and make any additional reports as are required by the secretary.

Proposed law authorizes the chief operating officer to assign duties to the assistant secretary within the office of operations. Further changes the requirement from reporting to the secretary to reporting to the chief operating officer.

Present law (R.S. 36:508.2(F)) provides for the specific authorization of the secretary to perform any of the duties of the assistant secretary when the assistant secretary is absent or incapacitated or when the secretary deems it would be in the best interest of the DOTD. Further authorizes the assistant secretary with approval of the secretary to designate a senior staff member in the office of operations to perform any duties required by the assistant secretary.

Proposed law adds the chief operating officer as one authorized to perform any duties of the assistant secretary in the event he is absent, incapacitated, or if the chief operating officer deems it is in the best interest of the DOTD. Additionally replaces the secretary with the chief operating officer as the one to approve the assistant secretary's designation of a senior staff member in the office of operations to perform any duties required by the assistant secretary.

Present law (R.S. 36:508.6(C)) requires the DOTD enact comprehensive, dept.-wide reforms of the access permit process to include the police, administrative code, engineering directives and standards manual, and online application processes by June 30, 2026.

Proposed law changes the deadline for the availability of the online application process from June 30, 2026 to June 30, 2027.

Present law (R.S. 36:508.6(D)) requires the DOTD to modernize and reform project development and execution across the entire dept. to stabilize letting and to remit payments to vendors and contractors on a bi-monthly basis, consistent with the terms of its contracts, no later than June 30, 2026.

Proposed law changes the deadline for the DOTD to modernize and reform project development from June 30, 2026 to June 30, 2027.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 36:502(A) and (B), 503, 505(A) and (B), 506(A)-(C), 508(A)-(C) and (F), 508.2(A)-(C), (E), and (F), and 508.6(C) and (D); Adds R.S. 36:505.1)

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Make a technical change.