

1 **DEPARTMENT OF TRANSPORTATION PROCUREMENT**

2 **AUTHORITY**

3 2019 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: David G. Buxton**

6 House Sponsor: Kay J. Christofferson

7
8 **LONG TITLE**

9 **Committee Note:**

10 The Transportation Interim Committee recommended this bill.

11 **General Description:**

12 This bill amends provisions related to the Department of Transportation's procurement
13 authority.

14 **Highlighted Provisions:**

15 This bill:

- 16 ▶ broadens the executive director's procurement authority to include purchases
17 necessary to achieve the statutory functions and responsibilities of the department;
18 ▶ describes the executive director's authority to determine whether an item or
19 purchase related to the department's mission is a procurement item; and
20 ▶ makes technical changes.

21 **Money Appropriated in this Bill:**

22 None

23 **Other Special Clauses:**

24 None

25 **Utah Code Sections Affected:**

26 AMENDS:

27 72-1-202, as last amended by Laws of Utah 2018, Chapter 424



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Be it enacted by the Legislature of the state of Utah:

Section 1. Section **72-1-202** is amended to read:

72-1-202. Executive director of department -- Appointment -- Qualifications -- Term -- Responsibility -- Power to bring suits -- Salary.

(1) (a) The governor, after consultation with the commission and with the consent of the Senate, shall appoint an executive director to be the chief executive officer of the department.

(b) The executive director shall be a qualified executive with technical and administrative experience and training appropriate for the position.

(c) The executive director shall remain in office until a successor is appointed.

(d) The executive director may be removed by the governor.

(2) In addition to the other functions, powers, duties, rights, and responsibilities prescribed in this chapter, the executive director shall:

(a) have responsibility for the administrative supervision of the state transportation systems and the various operations of the department;

(b) have the responsibility for the implementation of rules, priorities, and policies established by the department and the commission;

(c) have the responsibility for the oversight and supervision of any transportation project for which state funds are expended;

(d) have full power to bring suit in courts of competent jurisdiction in the name of the department as the executive director considers reasonable and necessary for the proper attainment of the goals of this chapter;

(e) receive a salary, to be established by the governor within the salary range fixed by the Legislature in Title 67, Chapter 22, State Officer Compensation, together with actual traveling expenses while away from the executive director's office on official business; ~~and~~

(f) purchase all ~~necessary~~ equipment, services, and supplies ~~[for the department.]~~ necessary to achieve the department's functions, powers, duties, rights, and responsibilities delegated under Section [72-1-201](#); and

(g) have the responsibility to determine whether a purchase from, contribution to, or other participation with a public entity or association of public entities in a pooled fund

59 program to acquire, develop, or share information, data, reports, or other services related to the
60 department's mission are procurement items under Title 63G, Chapter 6a, Utah Procurement
61 Code.