

**EXECUTIVE DEPARTMENT
EXECUTIVE ORDER NUMBER 17-25**

HIGHWAY PROJECT SELECTION AND DELIVERY ENHANCEMENT

- WHEREAS,** Article VII, Section 27(B) of the Constitution of Louisiana requires monies in the Transportation Trust Fund appropriated by the legislature to be allocated pursuant to programs established by law that establish a system of priorities for the expenditure of the monies;
- WHEREAS,** La. R.S. 48:229.1 provides a minimum list of factors relative to the cost of the projects and anticipated revenues to be considered by DOTD when selecting projects to be included in the Highway Priority Program;
- WHEREAS,** accountability and transparency regarding expenditures of Transportation Trust Fund revenue for transportation projects are of public interest;
- WHEREAS,** improving the Highway Priority Program within DOTD to better demonstrate the use, and limited availability, of funds for transportation projects and managing the expectation of the public is in the best interest of the people of Louisiana;
- WHEREAS,** this Administration recognizes the benefits of enhanced transparency and accountability measures and it is the intent of this Administration to set and deliver high standards for transparency and accountability;
- WHEREAS,** separate and apart from enhancements to the Highway Priority Program, this Administration is committed to providing reasonable relief as it relates to regulatory provisions that create hardships for commerce and economic development;
- WHEREAS,** Title 70, Chapter 15 of the Louisiana Administrative Code provides for DOTD's necessary and important authority to regulate access to the state highway system, including the ability of an applicant to appeal a DOTD district office decision to the DOTD Headquarters;
- WHEREAS,** it is the intent of this Administration to ensure that applicants seeking access to the state highway system have the ability to appeal in a manner that results in a timely, reasonable decision that is considerate of implications for the safety and mobility of the traveling public, as well as commerce and economic development; and
- WHEREAS,** it is the unwavering policy of the Executive Branch to enhance the data-driven nature of the Highway Priority Program and facilitate the right of Louisianans to know and have access to information with which they may hold DOTD accountable.

NOW THEREFORE, I, JOHN BEL EDWARDS, Governor of the State of Louisiana, by virtue of the power and authority vested by the Constitution and laws of the State of Louisiana, do hereby order and direct as follows:

SECTION 1: In furtherance of the minimum list of factors relative to the cost of the projects and anticipated revenues to be considered by DOTD when selecting projects to be included in the Highway Priority Program, DOTD shall consider the following:

- A. Whether transportation funding is being utilized in the most cost-effective manner to ensure the state is getting a positive return on the investment of state and federal funds in transportation projects.
- B. Whether use of state and federal transportation funding for administrative costs of DOTD can be minimized.
- C. The funding available from sources other than the state or federal government for a highway or bridge project.
- D. The prioritization for Pavement Preservation Projects, not including those on the National Highway System, as provided by the district administrator for that district.
- E. Whether the highway or bridge project will support the needs of the local and regional authorities with responsibility for transportation planning to ensure that there is an equitable distribution of transportation funding through the different regions of the state over time.

SECTION 2: DOTD is directed to develop and make publically available in an accessible format all projects in the Highway Priority Program categorized in three parts as follows:

- A. Part 1 shall consist of projects that are scheduled to be let for construction during the first fiscal year based on anticipated and projected revenues available. A written explanation shall be provided for any project scheduled for letting in the previous fiscal year that was delayed. Each year as projects are completed from Part 1, they shall be deleted and replaced with projects from Part 2.
- B. Part 2 shall consist of projects in development that are fully funded based on anticipated and projected revenues available for upcoming fiscal years. Each year as projects move from Part 2 to Part 1, they shall be replaced by projects from within the same project category that are identified as needs by the Department.
- C. Part 3 shall consist of all projects in the program that can be funded if additional revenues become available.

SECTION 3: DOTD is directed to continue to comply with the Louisiana Government Performance and Accountability Act (LaPAS) as required by Act 1465 of the 1997 Regular Session relative to the methodology and outcomes of the DOTD Highway Priority Program capital projects in relation to the expenditure of funds.

SECTION 4: DOTD is directed to annually submit a report to the legislature that contains an expenditure breakdown of the avails of the motor fuel taxes utilized by the DOTD in accordance with the restricted purposes set forth in Article VII, Section 27(B) of the Constitution of Louisiana. DOTD is directed to supply relevant and necessary source information relating to reports required by this Section to the legislative auditor for the purpose of aiding in legislative audits

upon request. The report shall include an explanation of expenditures in the following categories:

- A. Administration and support services that include staff costs associated with executive level oversight and administrative supervision of the various business support functions of DOTD.
- B. Transportation funding used for debt service and multimodal programs, including ports, aviation, freight, transit, and public works.
- C. Operations and maintenance expenses that include non-administrative costs for activities such as repair and maintenance of pothole patching, mowing, ditch cleaning, striping, signal repair and installation, bridge repair, and maintenance.
- D. Program and project delivery including actual construction and construction engineering costs for projects.

SECTION 5: DOTD is directed to modify the Appeals Process for Access Connection Permits as provided for in Title 70, Chapter 15 of the Louisiana Administrative Code to provide that applicants may appeal decisions of the DOTD district office directly to the Secretary for a final decision.

SECTION 6: This Executive Order is intended only to improve processes and public understanding of the Highway Priority Program within DOTD and does not create any right to administrative or judicial review, or any other right or benefit, substantive or procedural, enforceable at law or equitable by a party against the State of Louisiana, its agencies or instrumentalities, its officers or employees, or any other person.

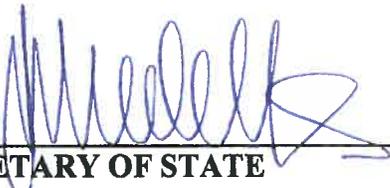
SECTION 7: This Order is effective upon signature and shall remain in effect until amended, modified, terminated, or rescinded by the Governor, or terminated by operation of law.



IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana, at the Capitol, in the City of Baton Rouge, on this 26th day of September, 2017.


GOVERNOR OF LOUISIANA

**ATTEST BY
THE GOVERNOR**


SECRETARY OF STATE