

APPENDIX D. APPOINTMENTS OF DOT LEADERSHIP

This chart details how DOT leadership is appointed in each state, including legal requirements and citations. DOT leadership is defined here as both executives within a DOT and other transportation leaders within the executive branch that influence a DOT’s activities.

State/ Jurisdiction	Leadership	Governor-Appointed, No Legislative Approval Required	Governor-Appointed With Legislative Approval	Appointed or Elected by Legislators	Elected	Other	Legal Requirements	Citations
Alabama	Director of Transportation	X						Ala. Code §23-1-21
Alaska	Commissioner of Transportation and Public Facilities		Confirmed by the majority of the members of the legislature in joint session				U.S. citizenship	Alaska Const., art. III, §25
Arizona	State Transportation Board		With consent of the Senate				Residency; taxpayer status; geographic representation	Ariz. Rev. Stat. Ann. §28-302 and §38-211
	DOT Director		With consent of the Senate					Ariz. Rev. Stat. Ann. §28-361 and §38-211
Arkansas	State Highway Commission		By and with advice and consent of the Senate					Ark. Const. Am. 42, §2; Ark. Stat. Ann. §27-65-104
	DOT Director					Appointed by State Highway Commission	Must be a “practical business or professional person”	Ark. Stat. Ann. §27-65-122
California	California Transportation Commission		With advice and consent of the Senate (9 voting citizen members)	Speaker of the Assembly and Senate Committee on Rules each appoint 1 voting citizen member and 1 ex-officio legislator member			Voting citizen members may not simultaneously hold elected public office or serve on any local or regional public board or commission with business before the commission; for governor-appointed members, governor must “make every effort to assure a geographic balance of representation”	Cal. Government Code §§14500 et seq.
	DOT Director		Subject to confirmation by the Senate					Cal. Government Code §14003
	Secretary of the Business, Transportation and Housing Agency		Subject to confirmation by the Senate					Cal. Government Code §13976

State/ Jurisdiction	Leadership	Governor-Appointed, No Legislative Approval Required	Governor-Appointed With Legislative Approval	Appointed or Elected by Legislators	Elected	Other	Legal Requirements	Citations
Colorado	Transportation Commission		With consent of the Senate				Geographic representation; residency; governor must consider appointing people with knowledge or experience in transit and engineering, and is encouraged to include at least one member who is a person with a disability, has a family member with a disability, or is a member of an advocacy group for people with disabilities	Colo. Rev. Stat. §43-1-106
	DOT Executive Director		With consent of the Senate					Colo. Rev. Stat. §43-1-103
Connecticut	DOT Commissioner		With advice and consent of either house of the General Assembly (nomination confirmed or rejected by resolution)				Must be “qualified by training and experience for the duties of the office”	Conn. Gen. Stat. Ann. §§4-6 to 4-8
Delaware	Secretary of the DOT		With advice and consent of the Senate				Must be “qualified by training and experience to perform the duties of the office;” preference must be given to a state resident, provided such person is acceptable and equally qualified	Del. Code Ann. tit. 29, §8403

Transportation Governance and Finance

State/ Jurisdiction	Leadership	Governor-Appointed, No Legislative Approval Required	Governor-Appointed With Legislative Approval	Appointed or Elected by Legislators	Elected	Other	Legal Requirements	Citations
Florida	Transportation Commission		Subject to confirmation by the Senate				Geographic representation; state citizenship; voter registration; must have business managerial experience in the private sector	Fla. Stat. Ann. §20.23
	Secretary of Transportation		Subject to confirmation by the Senate			Nominated by Transportation Commission	Must be a "proven, effective administrator who by a combination of education and experience shall clearly possess a broad knowledge of the administrative, financial, and technical aspects of the development, operation, and regulation of transportation systems and facilities or comparable systems and facilities"	Fla. Stat. Ann. §20.23
Georgia	State Transportation Board			Elected by majority vote of state legislators in each congressional district				Ga. Const. art. IV, §4; Ga. Code Ann. §32-2-20
	Commissioner of Transportation					Appointed by State Transportation Board		Ga. Const. art. IV, §4
	Director of Planning		Subject to approval by a majority vote of both the House Transportation Committee and the Senate Transportation Committee					Ga. Code Ann. §32-2-43
Hawaii	DOT Director		With advice and consent of the Senate					Hawaii Rev. Stat. §26-31
	Commission on Transportation (advisory only)	X					Geographic representation	Hawaii Rev. Stat. §26-19

State/ Jurisdiction	Leadership	Governor-Appointed, No Legislative Approval Required	Governor-Appointed With Legislative Approval	Appointed or Elected by Legislators	Elected	Other	Legal Requirements	Citations
Idaho	Idaho Transportation Board		Subject to confirmation by the Senate				State citizenship; residency; party affiliation; geographic representation (except the chairman, who is appointed from the state at-large); restrictions on holding other offices; must be “well informed and interested in the construction and maintenance of public highways and highway systems;” at least one must have special training, experience or expertise in aeronautics	Idaho Code §§40-302 et seq.
	Director of the ITD					Appointed by Idaho Transportation Board	Must have “knowledge and experience in transportation matters”	Idaho Code §40-503
Illinois	Secretary of Transportation		By and with advice and consent of the Senate					Ill. Rev. Stat. ch. 20, §§5/5-605 et seq.
Indiana	Commissioner	X						Ind. Code Ann. §8-23-2-2
Iowa	Transportation Commission		Subject to confirmation by the Senate				Party affiliation; restrictions pertaining to conflicts of interest	Iowa Code Ann. §§307.2 et seq.
	Director of Transportation		Subject to confirmation by the Senate				Restrictions on holding certain other offices or positions; prohibited from contributing to campaign funds	Iowa Code Ann. §307.11
Kansas	Secretary of Transportation		Subject to confirmation by the Senate					Kan. Stat. Ann. §75-5001
	Highway Advisory Commission (advisory only)	X					Geographic representation; restrictions on holding other public office or employment	Kan. Stat. Ann. §75-5002
Kentucky	Secretary of the Transportation Cabinet	X						Ky. Rev. Stat. §12.040 and §12.255
Louisiana	Secretary of Transportation and Development		With consent of the Senate					La. Rev. Stat. Ann. §36:503

Transportation Governance and Finance

State/ Jurisdiction	Leadership	Governor-Appointed, No Legislative Approval Required	Governor-Appointed With Legislative Approval	Appointed or Elected by Legislators	Elected	Other	Legal Requirements	Citations
Maine	Commissioner of Transportation		Subject to review by the Joint Standing Committee on Transportation and confirmation by the legislature					Me. Rev. Stat. Ann. tit. 23, §4205
Maryland	Secretary of Transportation		With advice and consent of the Senate					Md. Transportation Code Ann. §2-102
Massachusetts	Board of Directors	X					Party affiliation; two must be experts in public or private transportation finance; two must have practical experience in transportation planning; one must be a registered civil engineer with at least 10 years' experience	Mass. Gen. Laws Ann. ch. 6C, §2
	Secretary	X						Mass. Gen. Laws Ann. ch. 6C, §2
Michigan	State Transportation Commission		With advice and consent of the Senate				Party affiliation	Mich. Comp. Laws Ann. §247.802; Mich. Const. art. V, §28
	Director		With advice and consent of the Senate				Must possess "proven executive and administrative abilities, preferably in the field of public or private transportation or public administration;" if director is not a licensed professional engineer, s/he must designate a deputy director who is, to be responsible for the engineering content of policies and programs	Mich. Comp. Laws Ann. §16.455 and §247.805; Mich. Const. art. V, §28
Minnesota	Commissioner of Transportation		With advice and consent of the Senate					Minn. Stat. Ann. §174.02, §15.06 and §15.066

State/ Jurisdiction	Leadership	Governor-Appointed, No Legislative Approval Required	Governor-Appointed With Legislative Approval	Appointed or Elected by Legislators	Elected	Other	Legal Requirements	Citations
Mississippi	Transportation Commission				Elected by the people, one from each Supreme Court district, at the same time and manner as the gover- nor		Must be qualified electors and citi- zens of the district in which they offer for election	Miss. Code Ann. §65-1-3
	Executive Di- rector					Appointed by Transportation Commission, with advice and consent of the Senate	Must possess a wide knowledge of the state's trans- portation system and needs, and of the principles of transportation organization and administration; must possess selected training or expertise in the field of transporta- tion; cannot have been a member of the Transporta- tion Commission within two years of appointment	Miss. Code Ann. §65-1-9
Missouri	Missouri Highways and Transportation Commission		By and with ad- vice and consent of the Senate				Party affiliation; taxpayer status; residency	Mo. Rev. Stat. §226.030
	DOT Director					Appointed by Missouri Highways and Transportation Commission	State citizenship and residency; must have had executive manage- ment experience for at least five years; may be a registered profes- sional engineer	Mo. Rev. Stat. §226.040

Transportation Governance and Finance

State/ Jurisdiction	Leadership	Governor- Appointed, No Legislative Approval Required	Governor- Appointed With Legislative Approval	Appointed or Elected by Legislators	Elected	Other	Legal Requirements	Citations
Montana	Transportation Commission		Subject to con- firmation by the Senate				Residency; geo- graphic representa- tion; party affilia- tion; restrictions on other state office or employ- ment; at least one must have spe- cific knowledge of Indian culture and tribal transporta- tion needs, and must be selected by the governor after consultation with the Montana members of the Montana-Wyo- ming Tribal Lead- ers Council	Mont. Const. art. VI, §8; Mont. Code Ann. §2-15- 2502
	DOT Director		Subject to con- firmation by the Senate					Mont. Code Ann. §2-15- 2501 and §2-15-111
Nebraska	Highway Com- mission (advi- sory only)		Consent of a majority of all the members of the [unicameral] Legislature				Geographic rep- resentation; U.S. citizenship; age; residency; party affiliation	Neb. Rev. Stat. §39-1101 and §39-1110
	DOR Director		Subject to con- firmation by a majority vote of the members elected to the [unicameral] Legislature					Neb. Rev. Stat. §81-102; Neb. Const. art. IV, §10

State/ Jurisdiction	Leadership	Governor-Appointed, No Legislative Approval Required	Governor-Appointed With Legislative Approval	Appointed or Elected by Legislators	Elected	Other	Legal Requirements	Citations
Nevada	Board of Directors	X (3 members)				Governor, Lt. Governor, Attorney General and State Controller serve ex officio	For appointed members: geographic representation; state residency; restrictions pertaining to conflicts of interest; must be informed on and interested in the construction and maintenance of highways and other transportation matters; must possess either knowledge of engineering evidenced by possession of an engineering degree and license; demonstrated expertise in financial matters and business administration; or demonstrated expertise in the business of construction evidenced by a general contractor license and experience as a principal officer of a state-licensed firm	Nev. Rev. Stat. §408.106
	DOT Director					Appointed by Board of Directors	Prohibition on other employment; must be in unclassified state service; must be a licensed professional engineer; must have had at least five years of responsible administrative experience in public or business administration; must possess broad skills as a manager in DOT-related areas	Nev. Rev. Stat. §§408.160 et seq.
New Hampshire	DOT Commissioner					Appointed by the governor, with consent of the Executive Council (elected executive agency)		N.H. Rev. Stat. Ann. §21-L:3

Transportation Governance and Finance

State/ Jurisdiction	Leadership	Governor-Appointed, No Legislative Approval Required	Governor-Appointed With Legislative Approval	Appointed or Elected by Legislators	Elected	Other	Legal Requirements	Citations
New Jersey	Commissioner of Transportation		With advice and consent of the Senate				Must be "qualified by training and experience to perform the duties of his office"	N.J. Stat. Ann. §27:1A-4
	Transportation Trust Fund Authority (finances transportation programs)		With advice and consent of the Senate (3 members)			Appointed by governor upon recommendation of Senate president (1 member); appointed by governor upon recommendation of speaker of the General Assembly (1 member); Commissioner of Transportation and State Treasurer serve ex officio	Party affiliation; one of the three appointed with advice and consent of the Senate must represent the interest of trade unions, and another of the three, the interests of owners of eligible construction firms	N.J. Stat. Ann. §27:1B-4
New Mexico	Transportation Commission		With advice and consent of the Senate			Appointed by Senate if governor fails to follow procedure for Senate confirmation	Geographic representation; residency	N.M. Stat. Ann. §67-3-2 to §67-3-5
	Secretary of Transportation		With advice and consent of the Senate			Also requires approval of the Transportation Commission		N.M. Stat. Ann. §67-3-23
New York	Commissioner of Transportation		By and with advice and consent of the Senate					N.Y. Transportation Law §11
North Carolina	Board of Transportation	X					14 members represent state highway divisions; of the other five members who serve at-large, one must have knowledge of environmental issues; one of ports and aviation; one of government-related finance and accounting; one must reside in a rural area and have knowledge of rural transportation issues; and one must reside in an urban area and have knowledge of transit issues	N.C. Gen. Stat. §143B-350
	Secretary of Transportation	X						N.C. Gen. Stat. §143B-9

State/ Jurisdiction	Leadership	Governor-Appointed, No Legislative Approval Required	Governor-Appointed With Legislative Approval	Appointed or Elected by Legislators	Elected	Other	Legal Requirements	Citations
North Dakota	DOT Director	X						N.D. Cent. Code §24-02-01.3
Ohio	Director of Transportation		With advice and consent of the Senate					Ohio Rev. Code Ann. §121.03; Ohio Const. art. III, §21
Oklahoma	Secretary of Transportation (cabinet member)		With advice and consent of the Senate					Okla. Stat. Ann. tit. 74, §10.3
	Transportation Commission		With advice and consent of the Senate				Residency; geographic representation	Okla. Stat. Ann. tit. 69, §302
	DOT Director					Elected by majority vote of the Transportation Commission		Okla. Stat. Ann. tit. 69, §305
Oregon	Transportation Commission		Subject to confirmation by the Senate				Residency; geographic representation; party affiliation	Or. Rev. Stat. §184.612; Or. Const. art. III, §4
	Director of Transportation		Subject to confirmation by the Senate					Or. Rev. Stat. §184.620
Pennsylvania	Transportation Commission		By and with advice and consent of the Senate (10 members)			Secretary of Transportation and chairs and minority chairs of Senate and House Transportation Committees are members by virtue of their offices	Residency; party affiliation; restrictions on holding other state employment; must be "reputable citizens of the Commonwealth, of mature judgment and broad business experience;" at least one appointee must hold at least a private pilot's license and derive part of his or her livelihood from aviation-related activities or be otherwise actively involved in aviation; at least two must be members of the board of directors of a transportation authority at time of appointment	Pa. Cons. Stat. Ann. tit. 71, §178
	Secretary of Transportation		By and with advice and consent of the Senate					Pa. Cons. Stat. Ann. tit. 71, §67.1

Transportation Governance and Finance

State/ Jurisdiction	Leadership	Governor-Appointed, No Legislative Approval Required	Governor-Appointed With Legislative Approval	Appointed or Elected by Legislators	Elected	Other	Legal Requirements	Citations
Rhode Island	Director of Transportation		With advice and consent of the Senate					R.I. Gen. Laws §42-13-1
South Carolina	Commission of the Department of Transportation	X (1 member, at-large)		Elected by legislators residing in each congressional district (6 members)		All must be screened by Joint Transportation Review Committee to determine whether they meet statutory requirements	Elections or appointments must "take into account race and gender so as to represent all segments of the state's population to the greatest extent possible;" no legislator or legislator's immediate family member is eligible; must have a degree that meets certain requirements or at least five years' experience in any combination of transportation, construction, finance, law, environmental issues, management or engineering	S.C. Code Ann. §1-3-240, §§57-1-310 et seq.
	Secretary of Transportation		With advice and consent of the Senate ¹				Must possess "practical and successful business and executive ability and be knowledgeable in the field of transportation"	S.C. Code Ann. §57-1-410
South Dakota	Transportation Commission	X					Party affiliation; residency; geographic representation	S.D. Codified Laws Ann. §§1-44-4 et seq.
	Secretary of Transportation		By and with advice and consent of the Senate					S.D. Const. art. IV, §9; S.D. Codified Laws Ann. §1-32-3
Tennessee	Commissioner of Transportation	X					Must be "a person qualified by training and experience to perform the duties of the commissioner's office"	Tenn. Code Ann. §4-3-2302

State/ Jurisdiction	Leadership	Governor-Appointed, No Legislative Approval Required	Governor-Appointed With Legislative Approval	Appointed or Elected by Legislators	Elected	Other	Legal Requirements	Citations
Texas	Texas Transportation Commission		With advice and consent of the Senate				Geographic representation; reflection of the diversity of the state; restrictions pertaining to conflicts of interest; one must reside in a rural area	Tex. Transportation Code Ann. §§201.051 et seq.
	Executive Director of the DOT					Elected by the Texas Transportation Commission	Must be “experienced and skilled in transportation planning and development and in organizational management”	Tex. Transportation Code Ann. §201.301
Utah	Transportation Commission		With consent of the Senate				Geographic representation; ² residency	Utah Code Ann. §72-1-301
	Executive Director of the DOT		With consent of the Senate			With recommendations from the Transportation Commission	Must be “a qualified executive with technical and administrative experience and training appropriate for the position”	Utah Code Ann. §72-1-202
Vermont	Transportation Board ³		With advice and consent of the Senate				Party affiliation; restrictions pertaining to conflicts of interest; the governor must, so far as is possible, appoint members “whose interests and expertise lie in various areas of the transportation field”	Vt. Stat. Ann. tit. 19, §3
	Secretary of Transportation		With advice and consent of the Senate					Vt. Stat. Ann. tit. 19, §7

State/ Jurisdiction	Leadership	Governor-Appointed, No Legislative Approval Required	Governor-Appointed With Legislative Approval	Appointed or Elected by Legislators	Elected	Other	Legal Requirements	Citations
Virginia	Commonwealth Transportation Board		Subject to confirmation by the legislature (14 citizen members)			Secretary of Transportation, Commonwealth Transportation Commissioner and Director of the Department of Rail and Public Transportation serve ex officio as nonvoting members; except, in cases of a tie, the secretary or commissioner may vote if acting as chair	Residency (14 citizen members)	Va. Code §§33.1-1 et seq.
	Commonwealth Transportation Commissioner		Subject to confirmation by the legislature				Must be “an experienced administrator, able to direct and guide the Department in the establishment and achievement of the Commonwealth’s long-range highway and other transportation objectives;” may be a nonresident of the state at the time of appointment	Va. Code §33.1-3
	Secretary of Transportation		Subject to confirmation by the legislature					Va. Code §2.2-200
Washington	Transportation Commission		With consent of the Senate (7 members)			The governor or designee serves as a nonvoting member and the Secretary of Transportation serves ex officio	Residency; geographic representation; prohibitions on other state position or employment; commissioners should reflect a “wide range of transportation interests”	Wash. Rev. Code Ann. §47.01.051
	Secretary of Transportation		With advice and consent of the Senate					Wash. Rev. Code Ann. §47.01.041

State/ Jurisdiction	Leadership	Governor-Appointed, No Legislative Approval Required	Governor-Appointed With Legislative Approval	Appointed or Elected by Legislators	Elected	Other	Legal Requirements	Citations
West Virginia	Secretary of Transportation (DOT)		With advice and consent of the Senate					W. Va. Code §5F-1-2
	Commissioner of Highways (Division of Highways)		By and with advice and consent of the Senate				Must be “a person who is experienced in highway planning, finance, construction, maintenance, management and supervision qualifying him for the duties of his office”	W. Va. Code §17-2A-2
Wisconsin	Secretary of Transportation		With advice and consent of the Senate					Wis. Stat. Ann. §15.05
Wyoming	Transportation Commission		By and with advice and consent of the Senate				Party affiliation; geographic representation	Wyo. Stat. §24-2-101
	Director of the DOT	X				Nominated by the Transportation Commission	Must be “qualified candidates”	Wyo. Stat. §24-2-105
District of Columbia	DOT Director		Appointed by the mayor, with the advice and consent of the Council					D.C. Code Ann. §50-921.02
Puerto Rico	Secretary of Transportation and Public Works		With advice and consent of the Senate					P.R. Const. art. IV, §5
	Advisory Board on Transportation (advisory only)	X (2 members)				Secretary of Transportation and Public Works, Director of the Puerto Rico Office of Energy, Police Superintendent, chair of the Puerto Rico Public Service Commission and chair of the Puerto Rico Planning Board serve by virtue of their offices	Appointed members must be “related to the transportation system in Puerto Rico,” have satisfactory knowledge in the area of transportation and have an “excellent reputation in the Puerto Rican community”	9 L.P.R.A. §3153

Notes

1. The gubernatorial appointment of the South Carolina Secretary of Transportation expires in 2015, at which time the responsibility reverts to the Commission of the DOT (2007 S.C. Acts, Act 114).
2. Before July 1, 2009, six commissioners represented counties and one was at-large. Now, four commissioners represent each of the four DOT regions and three are at-large; no more than two can be from any one region. At least one must be selected from a rural county.
3. The Vermont Transportation Board provides appellate review of various state DOT decisions and rulings, has original jurisdiction over certain claims and conducts public hearings. Thus, although not solely advisory in nature, it does not have the policy-making function of many other transportation boards and commissions.