

Tre Hargett, Secretary of State

State of Tennessee



Division of Elections
312 Rosa L. Parks Avenue, 7th Floor
Nashville, Tennessee 37243-0305

Dear Applicant,

Thank you for your interest in applying for certification by the Tennessee Highway Officials Certification Board. All candidates for the office of chief administrative officer of the county highway department must be certified prior to having their names placed on the ballot. This process is governed by Tenn. Code Ann. § 54-7-104.

The enclosed materials are designed to assist you in providing information required for certification by the board. The first document that follows this letter is a summary of qualifications for the office. Second, you will find a summary of the board's procedures, including a listing of the types of projects that the board may consider in making a decision regarding certification.

Finally, this packet includes an application for certification that you may fill out and return to the board at the above address. While you are not required to use this application, it has been designed to allow you to submit the required information in a format that is helpful to the board when considering your qualifications.

In order to be considered, the board must receive your materials at the address above no later than fourteen days before your county's qualifying deadline. The qualifying deadline will be determined by whether your county will hold a primary election for the office. Once your application has been received, you will be notified of the date and time of the board meeting at which it will be reviewed.

If you have further questions after reviewing the enclosed materials, please feel free to give me a call at 615-741-7956.

Sincerely,

A handwritten signature in blue ink, appearing to read "Andrew W. Dodd".

Andrew W. Dodd
Chairman, Tennessee Highway Officials Certification Board

Summary of Qualifications for Chief Administrative Officer of the County Highway Department

Pursuant to Tenn. Code Ann. § 54-7-104, candidates must file affidavits and such other evidence as the Tennessee Highway Officials Certification Board shall require for certification not later than fourteen (14) days prior to the qualifying deadline for candidates in a popular election or, where the position is appointed, prior to appointment to the office.

If you live in Bledsoe, Carroll, Clay, Dyer, Hancock, Hawkins, Jackson, Perry, Stewart, or Wayne County, the qualifications for this office have changed since the 2010 election. Previous statutory exemptions have been removed, and all candidates (other than the incumbent, if running) must now meet the qualifications below.

In order to be certified, a candidate must have at least a high school diploma or GED and meet one of the following criteria:

1. Be a graduate of an accredited school of engineering, with at least 2 years' experience in highway construction or maintenance;
2. Be licensed to practice engineering in Tennessee;
3. Have a combination of education and experience equivalent to either of the above; or
4. Have at least 4 years' experience in a supervisory capacity in highway construction or maintenance.

Candidates must also meet the general qualifications to hold public office set out in Tennessee Code Annotated § 8-18-101, which provides that all persons of the age of eighteen (18) years who are citizens of the United States and of this state, and have been inhabitants of the state, county, district, or circuit for the period required by the constitution and laws of the state, are qualified to hold office under the authority of this state except:

1. Those who have been convicted of offering or giving a bribe, or of larceny, or any other offense declared infamous by law, unless restored to citizenship in the mode pointed out by law;
2. Those against whom there is a judgment unpaid for any moneys received by them, in any official capacity, due to the United States, to this state, or any county thereof;
3. Those who are defaulters to the treasury at the time of the election, and the election of any such person shall be void;
4. Soldiers, seamen, marines, or airmen in the regular army or navy or air force of the United States; and
5. Members of congress, and persons holding any office of profit or trust under any foreign power, other state of the union, or under the United States.

Guidelines Relative to Certification of Candidates for Chief Administrative Officer of the County Highway Department

I. Qualifications

- A. In each county, in order to qualify for the office of chief administrative officer of the highway department, a person shall:
1. Be a graduate of an accredited school of engineering, with at least two (2) years of experience in highway construction or maintenance;
 2. Be licensed to practice engineering in Tennessee;
 3. Have a combination of education and experience equivalent to either of the above; or
 4. Have had at least four (4) years' experience in a supervisory capacity in highway construction or maintenance.
- B. Candidates must have at least a high school diploma or its equivalent in educational training as recognized by the state board of education, such as a general equivalency diploma (GED).

II. Definitions

- A. **“Highway Construction”** is defined as the construction of roads, streets, highways, and/or bridges according to federal, state or local specifications or the construction and acceptance of such by a local government as meeting the appropriate construction standards. Highway construction **includes** the construction of subdivision roads or any other roads that have met the standards of a governmental body or that have been accepted by a governmental body and the construction of public airport runways according to standards and specifications of the federal, state, or local government.

Highway construction **does not include:**

- construction of subdivision roads that do not meet the standards of a governmental body or that have not been accepted by a governmental body;
- construction of parking lots, driveways or access roads;
- construction of roads for agricultural or timber harvesting operations;
- repair or re-construction of portions that are less than half the width of roads, streets, or highways in conjunction with installing water or other utility lines;
- inspection of highway construction (unless the inspector is also the party responsible for the supervision of the construction project); or
- construction of private airport runways.

- B. **“Highway Maintenance”** is defined as the repair and general upkeep of roads, streets or highways of the federal, state, or local government and includes resurfacing, road shoulder maintenance, and repair and upkeep of guardrails and bridges sufficient to give the person experience in **all** aspects of highway maintenance.

Highway maintenance **does not include:**

- maintenance of subdivision roads that have not met the standards of a governmental body;
 - placement or replacement of road signs;
 - clearing of plant growth or debris from the road or shoulder;
 - minor repairs to highways, streets, or roads necessitated by utility service or maintenance work that are less than half the width of the road; or
 - inspection of highway maintenance (unless the inspector is also the party responsible for supervision of the maintenance).
- C. **“Supervisory Capacity”** means having direct oversight or management of other persons involved in actual highway construction or maintenance activities so that the supervisor directs the methods, equipment, and standards of the work performed and is responsible for the timely completion and quality of the work. Supervisory capacity further means that the person has the authority to determine whether the work was performed according to the applicable specifications.
- D. **Licensed to Practice Engineering in Tennessee** means the person has been issued a license to practice engineering by the State Board of Architects and Engineers or is otherwise authorized by that board to practice engineering in the State of Tennessee by virtue of being licensed in another state.
- E. **Graduate of an Accredited School of Engineering** means an engineering school that has been accredited by the Accreditation Board for Engineering and Technology (ABET) as of the date the degree was issued.
- F. **Combination of Education and Experience** may include, but is not limited to, licensure in another state, or a sufficient combination of engineering education at an accredited school of engineering and experience in highway construction or maintenance.

III. How to Apply for Certification

- A. The person wishing to be certified to seek election to the office of chief executive of the county highway department shall provide sworn statements that outline his or her experience and/or education. All statements must be sworn to and signed before a notary or other person authorized by law to administer an oath. The board has prepared an application for certification designed to help individuals submit information in the suggested format. Candidates are not required to use this form, but all submissions should contain the information listed below.

- B. A sworn statement by the applicant will be sufficient as long as the statement includes the necessary information and does not include contradictory provisions or provisions contradictory to prior statements. When it is determined that there are contradictions, the applicant will be required to provide supporting statements from others in support of the application. The supporting statements must be from individuals with first-hand knowledge of the applicant's experience in this area.
- C. Statements concerning experience should describe the applicant's experience to clearly show that he or she has the required number of years' experience. The format of this would vary depending on the type of experience. A representative example of the different possibilities follows with the type of information necessary to satisfy the requirement.
1. Full-time employment with the state Department of Transportation or county highway department. - A detailed description of the applicant's responsibilities, the number of personnel supervised and their responsibilities, and the period of time in that position.
 2. Full-time employment with a company that exclusively builds roads. - Information as described in C.1., above along with a representative example of the type of roads constructed. For instance, specific projects should be identified (e.g., resurfacing of 10-mile stretch of I-285, construction of I-40 between Lebanon and Cookeville, etc.) with a statement that the listed projects are representative of the work performed over a specified period of time.
 3. Full-time employment with a paving company or other business that does not exclusively build roads. - Information as described in C.1., above along with a listing of specific projects involving highway construction or maintenance and the time periods that the applicant worked on those projects. Credit will be given only for time that can be attributed to highway construction or maintenance.
- D. Candidates must file evidence that they have met the educational requirements:
1. Satisfactory evidence of graduation from an accredited school of engineering shall be in the form of a diploma, transcript or other official documentation.
 2. Evidence of a candidate's engineering licensure shall only be deemed to be satisfied if the candidate can provide the board with a copy of the candidate's engineering license, including the candidate's license number.
 3. Any provision in this section requiring a chief administrative officer to have a high school diploma or GED shall only be deemed to be satisfied if the candidate can demonstrate that the candidate has obtained a high

school diploma or its equivalent in educational training as recognized by the state board of education by providing the board with a copy of the candidate's diploma, GED certificate or other official documentation. A degree from an online school may only be accepted if the candidate files proof that the school is recognized by the state board of education.

IV. Timing of Filing and Review of Applications

- A. The board will not review candidates in a county prior to the date petitions for the office of chief administrative officer of the county highway department are available.
- B. All affidavits and other evidence must be filed not later than fourteen (14) days prior to the qualifying deadline for candidates wishing to appear on the ballot, or sixty-four (64) days prior to the election for write-in candidates. The board cannot accept materials filed after these deadlines.
- C. The board will strive to publish meeting notices on its website and distribute them to county election commissions at least ten (10) days prior to the meeting date.
- D. Agendas will be posted and distributed seven (7) days prior to a scheduled meeting. Candidates must submit their affidavits and other evidence not later than seven (7) days prior to the meeting at which they wish to be heard in order to be placed on the agenda, provided that the materials are filed not less than fourteen (14) days before the qualifying deadline.

V. Challenge Process

- A. The board will accept affidavits from persons who dispute the qualifications of a candidate. Such affidavits must be based upon first-hand knowledge and sworn to and signed before a notary public or other person authorized by law to administer oaths.
- B. The board shall hold public hearings and accept testimony and other evidence to determine the qualifications of a candidate when the board determines that there is a legitimate dispute as to the qualifications of the candidate.
- C. Any challenge must be filed at least three (3) days prior to the meeting at which a candidate's qualifications are to be reviewed. If a challenge is filed less than three (3) days prior to the meeting at which a candidate's qualifications are to be reviewed, the candidate and challenge shall be moved to the next available agenda.
- D. Challenges filed against candidates on the board's final agenda prior to the qualifying deadline must be filed at least one (1) day prior the meeting at which the candidate's qualifications are to be reviewed.



Tennessee Highway Officials Certification Board

Application for Certification

Section 1. Candidate Information

Full Name: _____
(First) (Middle) (Last)

Address: _____
(Street)
_____, Tennessee _____
(City) (ZIP) (County)

Phone Number: _____ E-mail Address: _____

In what county are you running for office? _____ County, Tennessee

Have you ever been certified by the Tennessee Highway Officials Certification Board? Yes No

If yes, in what year(s) were you last certified? _____

Are you the incumbent officeholder in the county listed above? Yes No

Current officeholders may provide proof of prior certification instead of completing Sections 3 through 5. Please fill out Sections 2 and 6 and have your application notarized prior to submission.

Section 2. Candidate Qualifications

I meet the qualifications of Tenn. Code Ann. § 8-18-101 and one of the options below:

- Option 1:** I am the graduate of an accredited school of engineering and have been licensed to practice engineering in the State of Tennessee by the Board of Architectural and Engineering Examiners. My license number is _____, **OR**
- Option 2:** I am the graduate of an accredited school of engineering and have had at least two (2) years' experience in highway construction or maintenance, which I have detailed on the attached worksheet, **OR**
- Option 3:** I hold a high school diploma or general equivalency diploma and have had at least four (4) years' experience in a supervisory capacity in highway construction or maintenance, which I have detailed on the attached worksheet, **OR**
- Option 4:** I have a combination of education and experience equivalent to Option 1 or 2, which I have detailed on the attached worksheet and through other supporting documents.

NOTE: You must provide proof of your engineering license, engineering degree, high school diploma, or GED. Please attach a copy of your license or diploma. If you do not have a copy, please provide other evidence, such as a transcript.

Section 3. Candidate Education

Level	School	Degree/Major	Date of Degree
High School/GED			
College/University			
Master's			
Doctorate			
Other			

Section 4. Employment History

Employer: _____ Dates: _____

Job Title: _____

Description: _____

Employer: _____ Dates: _____

Job Title: _____

Description: _____

Employer: _____ Dates: _____

Job Title: _____

Description: _____

Employer: _____ Dates: _____

Job Title: _____

Description: _____

Section 5. Detailed Qualification Worksheet

This form is designed to help you to list your experience in a format that provides all of the necessary information to the board. Please see the Guidelines Relative to Certification of Candidates for definitions of projects that the board may and may not consider in making a determination regarding certification.

Please print as many copies of this page as necessary to detail your qualifications. If there is insufficient space for you to provide details on this page or you wish to supply additional information in a different format, please attach supporting documentation behind this worksheet.

Project: _____ Location: _____

Dates of work: _____ (mo/yr) to _____ (mo/yr) Total Months: _____

Employer: _____ Number of individuals supervised: _____

Description of work performed: _____

Built to federal/state/local specifications? Y / N Accepted by federal/state/local government? Y / N

If no, why not? _____

Project: _____ Location: _____

Dates of work: _____ (mo/yr) to _____ (mo/yr) Total Months: _____

Employer: _____ Number of individuals supervised: _____

Description of work performed: _____

Built to federal/state/local specifications? Y / N Accepted by federal/state/local government? Y / N

If no, why not? _____

Section 6. Applicant Signature and Notarization

I, _____, swear or affirm that the information presented in this application and its attachments is true and correct to the best of my knowledge, information, and belief.

Pursuant to Tenn. Code Ann. § 2-19-109, knowingly making or consenting to any false entry on any election document is a Class D felony. Additionally, information submitted on this form is subject to the Tennessee Open Records Act at Tenn. Code Ann. § 10-7-501 *et seq.*, unless an exception applies.

(Signature of Applicant)

Subscribed and sworn to before me this _____ day of _____, _____.
(day) (month) (year)

(Signature of Notary Public)

My commission expires _____

Please send completed applications to:

Tennessee Highway Officials Certification Board
Division of Elections
312 Rosa L. Parks Avenue
William R. Snodgrass Tower, 7th Floor
Nashville, TN 37243