

OPERATING PROCEDURES
BOARD OF EXAMINERS FOR COUNTY HIGHWAY
AND CITY STREET SUPERINTENDENTS

ARTICLE I

Purpose

These operating procedures shall complement the Rules and Regulations of the Board of Examiners for County Highway and City Street Superintendents (hereinafter "The Board"), Title 425, Nebraska Administrative Code (425 NAC).

ARTICLE II

Headquarters of the Board

The principal office and address of the Board shall be the Department of Roads Central Headquarters, PO Box 94759, 1500 Highway 2, Lincoln, Nebraska 68509.

ARTICLE III

Meetings and Public Hearings

Section 1. The regular meetings of the Board shall be held in the Central Headquarters Complex, Department of Roads of the State of Nebraska. The date and time of a regular meeting shall be scheduled at least 30 days in advance. Notice of regular meetings, including the tentative agenda, shall be publicized and shall be given in writing by the secretary or assistant, at least ten days before the date of the meeting. Meetings shall be governed by the Open Meetings Act and these operating procedures.

Section 2. Special meetings of the Board may be held at any time upon call of the chairperson or any three Board members. Notice containing the object, purpose, and agenda of special meetings shall be sent by certified mail to all Board members by the secretary or assistant at least ten days prior to the meeting date. All special meetings shall be limited to the published object and purpose.

Section 3. A quorum for the transaction of business shall be a majority of the duly appointed members of the Board. Each member of the Board shall have one vote; and proxies shall not be permitted. Unless specified otherwise in these operating procedures, a majority of the members present shall be required for passage of a duly made and seconded motion.

Section 4. No rule, regulation, standard or criterion shall be adopted by the Board, except by affirmative vote of at least four members.

Section 5. Rules and regulations public hearings shall be noticed and held in accordance with the Administrative Procedure Act and the Board's Rule, 425 NAC Chapter 1, Section 001.

Section 6. Contested case public hearings shall be noticed and held in accordance with the Administrative Procedure Act and the Board's Rule, 425 NAC Chapter 1, Section 002.

Section 7. The Board may hold special informational public hearings at such times and places as may be necessary and appropriate in the administration of its duties. Such hearings shall be scheduled at least 30 days in advance and shall be publicized appropriately. The chairperson may appoint members to conduct such hearings; and such hearings may be held only if at least two members are present. The hearing shall be held open for at least one hour and if no one appears, the presiding officer shall close the hearing. The presiding officer shall have the power to recess the hearing at any time and to close it when all relevant discussion has been heard.

Section 8. The rules contained in the current edition of *Robert's Rules of Order* newly revised shall govern the Board in all cases to which they are applicable and in which they are not inconsistent with these operating procedures and any special rules of order the Board may adopt.

ARTICLE IV
Business, Acts and Agreements

Section 1. The business of the Board may be carried on by mail, provided, however, official action of the Board may only be taken at a regular or special meeting duly convened in accordance with the provisions of the Open Meetings Act and these operating procedures.

Section 2. All official actions and judgments of the Board and all contracts and agreements of any kind or nature approved by the Board shall be duly executed by the chairperson and secretary for and on the behalf of the Board or by any Board member appointed by the chairperson to do so.

Section 3. All certified copies of acts and agreements shall be duly executed by the secretary for and on the behalf of the Board, or by any Board member appointed by the chairperson to do so.

Section 4. Records retention shall be governed by a special schedule developed on the Board's behalf by the Nebraska Department of Roads and by the State of Nebraska's general schedule. The Board shall receive a copy of any such new or updated special schedule.

ARTICLE V
Officers and Committees

Section 1. The officers of the Board shall be a chairperson, a vice-chairperson, and a secretary.

Section 2. The chairperson shall be the presiding officer of the Board, and shall have all the powers, duties, and authorities usually vested in the chairperson of a Board.

Section 3. The vice-chairperson shall act and perform all the duties, powers, and authorities herein before vested in the chairperson in the absence or inability of the chairperson to act.

Section 4. The secretary or assistant shall maintain a good and proper order of all records required. In addition, he or she shall maintain all financial and administrative records as may be required.

Section 5. At the first regular meeting held during odd numbered calendar years, the members shall elect a chairperson, vice-chairperson, and secretary, provided, however, that in the event of the failure for any reason to hold such biennial election, the said officers shall hold their respective office for their respective appointed term or until their successor has been elected.

Section 6. The chairperson of the Board may appoint committees consisting of members of the Board and such other persons as may be deemed necessary and appropriate, in order to administer the affairs of the Board, with the approval of a majority of the Board.

ARTICLE VI
Amendments

These operating procedures may be amended at any regular meeting of the Board by a regular vote, provided (a) that the intention to amend was announced at the previous meeting, and (b) that a copy of the proposed amendments shall have been given to each Board member at least ten days prior to the date of the meeting. An affirmative vote of at least four members of the Board shall be necessary to change these operating procedures.

ARTICLE VII
Licenses - General

Section 1. Issuance, renewal, reissuance, suspension and revocation of County Highway Superintendent licenses and City Street Superintendent licenses shall be governed by the Board's Rule, 425 NAC Chapter 2.

Section 2. The license issued for entry into the profession of highway or street superintending shall be the Class B license.

Section 3. The license issued for demonstrated experience as an employed superintendent or for comparable experience, and for commitment to professional development, shall be the Class A license.

ARTICLE VIII

Forms

Section 1. Official application, renewal application and reissuance application forms and logs, and violations reporting forms, shall be adopted and amended by affirmative vote of at least four members of the Board, provided (a) that the matter of adoption or amendment was announced either at the previous meeting of the Board or by written notice to the membership at least 30 days in advance and (b) that a copy of the proposed form, log or amendment was provided to each Board member at least ten days in advance.

Section 2. The Board shall keep a list of all official forms and logs, including the effective dates of the current editions thereof, as well as a list of any such forms or logs which are in the process of adoption or pension.

ARTICLE IX

License Examinations

Section 1. Class B license examinations shall be conducted twice each year during the months of April and October. Notice shall be given to all candidates to be examined at least 15 days prior to such examination.

Section 2. Each candidate for examination shall receive an ungraded oral interview by the Board in conjunction with his or her first examination. Repeat applicants may request an oral interview.

Section 3. The same examination shall test the qualifications of candidates for the County Highway Superintendent license and for the City Street Superintendent license.

Section 4. Examination Minimum Requirements.

A. Each examination question is assigned a point value. Candidates will be graded on five criteria, 1. the true and false written examination, 2. the multiple choice written examination, 3. the morning essay written examination, 4. the afternoon essay written examination, and 5. the plan reading written examination. A candidate must achieve a minimum grade of 70 percent of the total point value of the examination and minimum grade of 60 percent on each of the five criteria.

B. Candidates shall not be permitted access to any examination booklet except during a scheduled examination.

C. The secretary may furnish grades to the applicant upon receipt of a written request. The secretary may also furnish a written summary of areas in which the applicant appeared to have difficulty, upon receipt of a written request.

Section 5. The Board shall select two persons to prepare and grade the examination according to prior specifications of the Board.

Section 6. At least every ten years, the Board shall review the current examination contents and scope for updating. Current best practices and technology, as well as licensing trends, should guide the Board's review.

ARTICLE X

License Certificates, Numbers, Cards, Renewal Notification, and Replacement Certificate

Section 1. A separate and distinct certificate shall be issued for county highway superintendent and city street superintendent. Information contained upon the certificate shall include the superintendent's name as requested by the superintendent, the class of license, the license number assigned, and the date of issuance. The certificate shall be signed by the chairperson, vice chairperson, and the secretary.

Section 2. The license number shall be the next available sequential number. Cancelled or revoked license numbers shall not be reissued. The license number shall be retained when a Class B license is converted to a Class A license.

Section 3. The licensure documentation card issued to the license holder card shall be signed by the secretary and shall provide a space for the signature of the license holder.

Section 4. Prior to October 21 of each year, the secretary or assistant shall notify all licensed superintendents who are up for renewal of the amount of the renewal fee which is due and payable prior to January 1. In the case of a Class B license holder, the notification shall include the procedure for obtaining a Class A license.

Section 5. A replacement license certificate will be issued upon request and accompanied by a full statement of the circumstances of loss or destruction of the license certificate or documentation of name

change. Duplicate certificates will not be issued. Information contained upon the replacement certificate shall include the superintendent's name as requested by the superintendent, the original type and class of license, license number assigned, the original date of issuance, the date of reissuance, and a Class A issuance sticker if applicable. The certificate shall be signed by the chairperson, vice chairperson, and secretary.

- Former Articles I, IV, IX, X, XII, XVII, XVIII, XIV, and XXII Repealed November 5, 2004.
- Revised Article II, renumbered Article VI, and revised and renumbered Articles III, and V adopted November 5, 2004.
- New Articles I, VII, and VIII adopted November 5, 2004.
- Revised Article IV adopted October 7, 2011.
- Revised Article IX adopted October 7, 2011.
- Revised Article X adopted April 2, 2010.