

Revision to Alabama Department of Transportation Records Disposition Authority

At the request of the Alabama Department of Transportation, the State Records Commission approved the following revision to the Alabama Department of Transportation's RDA for field divisions:

**strikeout denotes deletion*

**underlined denotes addition/revision*

Subfunction: Coordinating Pre-Construction Activities

(Office Engineer Bureau)

Addition:

Authorizations and Modifications (Form 37) for Federal-Aid Projects

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the project was closed.

(Bridge Bureau)

Revision:

~~Construction Records (fabrication drawings; welder certifications; welding procedures; films of weldments; NDE reports of weldments; SSI project records and logs; in-shop fabrication records; correspondence)~~

~~Retain 10 years after the completion of the construction project.~~

Construction Records (not Structural Steel Fabrication and Inspection Records)

Disposition: Temporary Record. Retain 10 years after the completion of the construction project.

Structural Steel Fabrication and Inspection Records

Disposition: Temporary Record. Retain for life of structure.

Subfunction: Acquiring Rights-of-Way

(Right of Way Bureau)

Revision:

~~Record documenting all activities (including authorization provided to divisions, but excluding the appraisal of property) relating to the acquisition of rights-of-way~~

~~Disposition: Temporary Record. Retain 3 years from the date the state receives federal reimbursement of the final payment made to each owner of a property and to each person displaced from a property; or retain 3 years from the date a credit toward the federal share of a project is approved based on early acquisition activities of the state (23 CFR 710.201[f][1]).~~

~~Records documenting uneconomic remnant and non-rights-of-way properties~~

~~Disposition: Temporary Record. Retain 3 years after the sale of surplus property (23 CFR 710.201[f][2]).~~

~~Records documenting appraisal to decide fair market value of each tract, review of appraisal, and status of approval~~

~~Disposition: Temporary Record. Retain 5 years after preparation or 2 years after final disposition of any judicial proceedings in which testimony was given, whichever is longer. (49 CFR 24.103-104).~~

Records documenting all activities relating to the acquisition of rights-of-way uneconomic remnants, and excess property acquired as part of the rights-of-way acquisition process, and the authorization provided to divisions (excluding Summary of Appraisals)

Disposition: Temporary Record. Retain 3 years from the date the state receives federal reimbursement of the final payment made to each owner of a property and to each person displaced from a property; or retain 3 years from the date a credit toward the federal share of a project is approved based on early acquisition activities of the state (23 CFR 710.201[f][1]&[2]).

Summary of Appraisals. This one sheet of the Appraisal Report summarizes the taking and the appraised value and is signed by the appraiser. It is required as summary documentation of the transaction.

Disposition: PERMANENT RECORD. Retain in Office.

Addition:

Supporting documents [not otherwise listed] that document sale/disposal of uneconomic remnants, sale/disposal of excess rights-of-way, lease of rights-of-way, and relinquishments of roadways

Disposition: Temporary Record. Retain 10 years following the end of the fiscal year in which the sale/disposal or relinquishment occurred or the lease ended.

Oil, Gas, and Mineral Leases

Disposition: Temporary Record. Retain 5 years following the end of the fiscal year in which the lease ended.

Copies of cash receipts with supporting memorandums for oil, gas, and mineral royalties

Disposition: Temporary Record. Retain 3 years following the end of the fiscal year in which the cash receipt is dated.

Minor Changes to Records Series Description (No Changes to Approved Disposition):

Records documenting creation of legal descriptions for all property conveyed by or to the Department of Transportation. This series consists of two major components. The plan assembly is a stack of drawings or roll map showing details of property ownership, area of properties to be acquired, and existing topography (structures and vegetation) that may be damaged or relocated. The second component is the deed assembly which includes a drawing with additional details, such as the distance and angles around boundary lines, along with an attached property description; the negotiator's report; the latest revision of the right-of-way map; executed acquisition deeds with curative documents (mortgage releases, affidavits); Probate Court final orders of condemnation; petitions and amended petitions; Circuit Court Decrees; and Supreme Court decisions, including plats and exhibits. These records need to be maintained permanently at the agency to document ownership.

Records documenting sale of surplus properties. These records document the sale of properties that belong to the department. Some surplus properties sold may be non-rights-of-way properties such as division and district offices. Other surplus properties sold may be those acquired as uneconomic remnants or excess property in the process of acquiring rights-of-way for public roads or the sale of rights-of-way declared excess. Types of records include all executed acquisition deeds and deeds for disposal including plats, exhibit, etc.; all executed easements; all title policies for properties acquired; Title Opinions for non-rights-of-way properties (not title opinions for rights-of-way property); all executed agreements and resolutions, for acquisitions or sales; all probate and circuit court decree's and Supreme Court decisions including plats, exhibit, etc.; property listings; documents of explanation of how property has been disposed; required notifications to the Department of Conservation and the Office of the Secretary of State.

Requirement and Recommendations for Implementing the Records Disposition Authority

Under the Code of Alabama 1975, Section 41-13-21, “no state officer or agency head shall cause any state record to be destroyed or otherwise disposed of without first obtaining approval of the State Records Commission.” This Records Disposition Authority constitutes authorization by the State Records Commission for the disposition of the records of the Alabama Department of Transportation (hereafter referred to as the agency) as stipulated in this document.

One condition of this authorization is that the agency submit an annual Records Disposition Authority (RDA) Implementation Report on agency records management activities, including documentation of records destruction, to the State Records Commission in July of each year. In addition, the agency should make every effort to establish and maintain a quality record-keeping program through the following activities:

- The agency should designate a records liaison, who is responsible for: ensuring the development of quality record keeping systems that meet the business and legal needs of the agency, coordinating the transfer and destruction of records, ensuring that permanent records held on alternative storage media (such as microforms and digital imaging systems) are maintained in compliance with national and state standards, and ensuring the regular implementation of the agency’s approved RDA.
- Permanent records in the agency’s custody should be maintained under proper intellectual control and in an environment that will ensure their physical order and preservation.
- Destruction of temporary records, as authorized in this RDA, should occur agency-wide on a regular basis—for example, after the successful completion of an audit, at the end of an administration, or at the end of a fiscal year. Despite the RDA’s provisions, no record should be destroyed that is necessary to comply with requirements of the state Sunset Act, audit requirements, or any legal notice or subpoena.
- The agency should maintain full documentation of any computerized record-keeping system it employs. It should develop procedures for: (1) backing up all permanent records held in electronic format; (2) storing a back-up copy off-site; and (3) migrating all permanent records when the system is upgraded or replaced. If the agency chooses to maintain permanent records solely in electronic format, it is committed to funding any system upgrades and migration strategies necessary to ensure the records’ permanent preservation and accessibility.

The staff of the State Records Commission or the Examiners of Public Accounts may examine the condition of the permanent records maintained in the custody of the agency and inspect records destruction documentation. Government Records Division archivists are available to instruct the agency staff in RDA implementation and otherwise assist the agency in implementing its records management program.

The State Records Commission adopted this records disposition authority on April 28, 2010:

Edwin C. Bridges, Chairman, by Tracey Berezansky
State Records Commission

Date

Receipt acknowledged:

Joe McInnes, Director
Alabama Department of Transportation

Date