

2026 -- H 7499

LC004547

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2026

A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT -- RHODE ISLAND  
DEPARTMENT OF TRANSPORTATION EFFICIENCY AND PERFORMANCE AUDIT ACT

Introduced By: Representatives Stewart, Cotter, Cruz, Speakman, Boylan, Kislak,  
Kazarian, Alzate, Messier, and Potter  
Date Introduced: February 04, 2026

Referred To: House State Government & Elections

It is enacted by the General Assembly as follows:

SECTION 1. Title 42 of the General Laws entitled "STATE AFFAIRS AND  
GOVERNMENT" is hereby amended by adding thereto the following chapter:

CHAPTER 13.2

RHODE ISLAND DEPARTMENT OF TRANSPORTATION EFFICIENCY AND  
PERFORMANCE AUDIT ACT

**42-13.2-1. Definitions.**

As used in this chapter:

(1) "Department" means the Rhode Island department of transportation.

(2) "DOA" means the Rhode Island department of administration.

(3) "Audit" means an independent efficiency and performance audit conducted in  
accordance with this chapter.

(4) "Peer state" means a state transportation agency selected for benchmarking based on  
geography, climate, system size, and procurement framework.

(5) "Responsible charge" means the full-time employee of the department to be in  
responsible charge of the project pursuant to the provisions of 23 C.F.R §635.105.

**42-13.2-2. Requirement to commission efficiency and performance audit.**

(a) The DOA shall commission an independent efficiency and performance audit of the  
department.

1           **(b) The audit shall be performed by an entity with demonstrated expertise in transportation**  
2 **systems, infrastructure finance, and public-sector performance benchmarking.**

3           **(c) The audit shall be completed and delivered to the governor and the general assembly**  
4 **on or before January 1, 2027.**

5           **42-13.2-3. Scope of audit.**

6           **(a) The audit shall include, but not be limited to, the following areas:**

7           **(1) Project delivery efficiency, including schedule adherence, cost escalation trends,**  
8 **change orders, procurement cycle time, and delivery outcomes;**

9           **(2) Asset management, including pavement, bridges, culverts, intelligent transportation**  
10 **systems assets, backlog replacement needs, and lifecycle cost analysis;**

11           **(3) Workforce and organizational structure, including ratio of in-house staff to consultants,**  
12 **vacancy rates, engineering capacity, and impacts on project delivery and oversight;**

13           **(4) Maintenance efficiency, including cost per lane-mile, snow and ice operations**  
14 **productivity, maintenance productivity, and equipment utilization;**

15           **(5) Financial management, including forecasting accuracy, cash-flow controls, use and**  
16 **tracking of federal funds, and alignment with the state transportation improvement program (STIP)**  
17 **and transportation improvement program (TIP); and**

18           **(6) Governance and oversight, including internal controls, performance reporting,**  
19 **transparency practices, and compliance with responsible charge requirements.**

20           **(b) The audit pursuant to this section shall be separate and independent of any audit**  
21 **conducted by the auditor general pursuant to chapter 13 of title 22 (“auditor general”).**

22           **42-13.2-4. Peer state benchmarking.**

23           **(a) The audit shall identify not fewer than five (5), nor more than ten (10) peer states**  
24 **matched on geography, climate, system size, and procurement rules to evaluate and compare**  
25 **against the department’s performance.**

26           **(b) The audit shall benchmark the department’s performance using comparable metrics**  
27 **including, but not limited to, the following:**

28           **(1) Cost metrics;**

29           **(i) Cost per lane-mile (maintenance and capital separately);**

30           **(ii) Bridge cost per square foot (new construction and rehabilitation);**

31           **(iii) Administrative overhead ratio;**

32           **(iv) Consultant utilization rate; and**

33           **(v) Percentage of projects with cost overruns exceeding ten percent (10%).**

34           **(2) Performance metrics;**

- 1           (i) Pavement condition metrics, including international roughness index or pavement  
2 condition rating;
- 3           (ii) Bridge condition metrics, including percentage structurally deficient or in poor  
4 condition;
- 5           (iii) Project delivery cycle time for design, procurement, and construction;
- 6           (iv) Snow and ice response metrics, including materials used per lane-mile and response  
7 times; and
- 8           (v) Safety outcomes, including fatalities per vehicle mile traveled.
- 9           **42-13.2-5. Procurement and contracting practices.**
- 10          The audit conducted pursuant to § 42-13.2-2 shall evaluate procurement and contracting  
11 practices including, but not limited to:
- 12           (1) Consultant procurement processes, including qualifications-based selection and cost  
13 negotiation;
- 14           (2) Oversight of consultant hours and costs;
- 15           (3) Compliance with federal responsible charge requirements;
- 16           (4) Use of alternative delivery methods, including design-build, construction  
17 manager/general contractor, and public-private partnerships; and
- 18           (5) Change order governance, approval thresholds, root-cause analysis, and systemic  
19 trends.
- 20          **42-13.2-6. Workforce capacity and outsourcing strategy.**
- 21          The audit conducted pursuant to § 42-13.2-2, shall assess workforce capacity and  
22 outsourcing strategy, including:
- 23           (1) Ratio of in-house engineering full-time equivalents to consultant engineering resources;
- 24           (2) Vacancy rates and operational impacts;
- 25           (3) Compliance with federal responsible charge staffing expectations; and
- 26           (4) Training programs, succession planning, and technical certification.
- 27          **42-13.2-7. Maintenance and operations efficiency.**
- 28          The audit conducted pursuant to § 42-13.2-2 shall assess maintenance and operations  
29 efficiency, including:
- 30           (1) Cost per lane-mile by district;
- 31           (2) Salt and chemical usage normalized by lane-mile and weather severity;
- 32           (3) Vehicle and equipment availability and downtime;
- 33           (4) Maintenance backlog tracking; and
- 34           (5) Overtime utilization and patterns.

1           **42-13.2-8. Reporting and public availability.**  
2           (a) Upon completion, the audit shall be submitted to:  
3           (1) The governor;  
4           (2) The president of the senate;  
5           (3) The speaker of the house of representatives; and  
6           (4) The chairs of the house and senate finance committees.  
7           (b) The final audit report shall be made publicly available on the DOA’s website.  
8           **42-13.2-9. Cooperation and access to records.**  
9           The department shall cooperate fully with the audit and provide access to all records, data,  
10          contracts, and personnel reasonably necessary to complete the audit.  
11          SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO STATE AFFAIRS AND GOVERNMENT -- RHODE ISLAND  
DEPARTMENT OF TRANSPORTATION EFFICIENCY AND PERFORMANCE AUDIT ACT

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- 1           This act would require that an independent efficiency and performance audit of the
- 2   department of transportation be commissioned by the department of administration.
- 3           This act would take effect upon passage.

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