

H. B. 3160

(By Delegates Savilla, Gearheart, Overington, Armstead, C. Miller, Kump, Carmichael and Andes)

[Introduced February 16, 2011; referred to the Committee on Roads and Transportation then Government Organization.]

A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §17-16A-6a, relating to transferring powers of construction and maintenance activities of parkways authority, including the transference of personnel and equipment used by the parkways authority for maintenance and construction activities to the Division of Highways.

Be it enacted by the Legislature of West Virginia:

That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new section, designated §17-16A-6a, to read as follows:

ARTICLE 16A. WEST VIRGINIA PARKWAYS, ECONOMIC DEVELOPMENT AND TOURISM AUTHORITY.

§17-16A-6a. Construction and maintenance powers transferred to Division of Highways.

(a) Beginning on July 1, 2011, the duties, powers and

1 functions of the West Virginia Parkways Authority related to any
2 construction and maintenance activities involving the West Virginia
3 Turnpike, or any other tolled highways operated under that
4 authority are hereby transferred to the Division of Highways. All
5 personnel and equipment used and designated for use by the West
6 Virginia Parkways Authority for construction or maintenance
7 activities involving or related to the West Virginia Turnpike or
8 any other tolled highways operated under that authority shall, in
9 accordance with the transfer of duties, powers and functions under
10 this section, be placed under the authority and direction of the
11 Division of Highways.

12 (b) Nothing in this section may be construed to interfere with
13 any other duties, powers and functions of the West Virginia
14 Parkways Authority related to the issuance of revenue bonds, the
15 collection of tolls, the acquisition, holding, leasing or disposing
16 of property, or any other function not directly related to
17 construction or maintenance activities involving the West Virginia
18 Turnpike or any other tolled highways operated under that
19 authority. The tolls on any parkways project, or on any expansion
20 or material alteration to any existing parkways project, shall be
21 eliminated upon completion of payment for that project.

22 (c) The West Virginia Parkways Authority shall reimburse the
23 Division of Highways for all construction and maintenance costs
24 incurred by the division which are related to construction and

1 maintenance of the West Virginia Turnpike or any other tolled
2 highways operated under that authority.

NOTE: The purpose of this bill is to transfer the powers of construction and maintenance activities of the Parkways Authority, including the transference of personnel and equipment used by the Parkways Authority for maintenance and construction activities, to the Division of Highways.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.