1	Senate Bill No. 58
2	(By Senators Snyder, Unger and D. Facemire)
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4	[Introduced January 12, 2011; referred to the Committee on
5	Transportation and Infrastructure; and then to the Committee on
6	Finance.]
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11	A BILL to amend the Code of West Virginia, 1931, as amended, by
12	adding thereto a new article, designated §29-18A-1, §29-18A-2
13	and §29-18A-3, all relating to creating the Commuter Rail
14	Access Act; and allowing railroads in West Virginia which
15	charge track access fees for any daily railroad commuter
16	service in West Virginia a tax credit to the railroad against
17	the corporate net income tax equal to access fees lost in lieu
18	of other payment.
19	Be it enacted by the Legislature of West Virginia:
20	That the Code of West Virginia, 1931, as amended, be amended
21	by adding thereto a new article, designated $\$29-18A-1$, $\$29-18A-2$
22	and §29-18A-3, all to read as follows:
23	ARTICLE 18A. WEST VIRGINIA COMMUTER RAIL ACCESS ACT.
24	§29-18A-1. Short title.

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1 This article shall be known and cited as the "West Virginia 2 Commuter Rail Access Act."

3 §29-18A-2. Charging track access fee for daily railroad commuter 4 service.

5 Any railroad subject to the provisions of article eighteen-a 6 of this chapter must submit its invoice for track access fees for 7 any daily commuter trains in West Virginia to the West Virginia 8 State Rail Authority office of the West Virginia Department of 9 Transportation. Upon verification by the West Virginia State Rail 10 Authority, the railroad that provided the railroad commuter service 11 access shall accept an equal amount of corporate tax credit for the 12 approved amount of the track access fee as full payment thereof.

13 §29-18A-3. Railroads entitled to tax credit against corporate net 14 income.

Any railroad in West Virginia whose track is used by a daily for commuter railroad service operating in West Virginia shall be rallowed a credit against the corporate net income tax imposed by the provisions of article twenty-four, chapter eleven of this code equal to the track access fee lost by the railroad as track access fees charged to a daily commuter railroad service operating in West Virginia using the tracks of that railroad.

NOTE: The purpose of this bill is to allow railroads in West Virginia which charge track access fees for daily railroad commuter

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service to receive a tax credit to the railroad against the corporate net income tax equal to access fees lost in lieu of payment.

This article is new; therefore, strike-throughs and underscoring have been omitted.