

COMMITTEE SUBSTITUTE

FOR

H. B. 4206

(BY DELEGATES BROWN, D. POLING, FLEISCHAUER AND
TALBOTT)

(Originating in the Committee on the Judiciary)
[February 10, 2012]

A BILL to amend and reenact article 8, chapter 64 of the Code of West Virginia, 1931, as amended, relating generally to the promulgation of administrative rules by the Department of Transportation; legislative mandate or authorization for the promulgation of certain legislative rules by various executive or administrative agencies of the state; authorizing certain of the agencies to promulgate certain legislative rules in the form that the rules were filed in the State Register; authorizing certain of the agencies to promulgate certain legislative rules with various modifications presented to and recommended by the Legislative Rule-Making Review Committee; authorizing

the Commissioner of Highways to promulgate a legislative rule relating to the construction and reconstruction of state roads (157 CSR 3); authorizing the Commissioner of Highways to promulgate a legislative rule relating to the transportation of hazardous wastes upon the roads and highways (157 CSR 7); and authorizing the Division of Motor Vehicles to promulgate a legislative rule relating to compulsory motor vehicle liability insurance (91 CSR 13).

Be it enacted by the Legislature of West Virginia:

That article 8, chapter 64 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

**ARTICLE 8. AUTHORIZATION FOR DEPARTMENT OF
TRANSPORTATION TO PROMULGATE
LEGISLATIVE RULES.**

§64-8-1. Commissioner of Highways.

1 (a) The legislative rule filed in the State Register on the
2 twenty-first day of July, two thousand eleven, authorized
3 under the authority of section eight, article two-a, chapter
4 seventeen, of this code, modified by the Commissioner of
5 Highways to meet the objections of the Legislative Rule-

6 Making Review Committee and refiled in the State Register
7 on the tenth day of January, two thousand twelve, relating to
8 the Commissioner of Highways (construction and
9 reconstruction of state roads, 157 CSR 3), is authorized.

10 (b) The legislative rule filed in the State Register on the
11 eighth day of July, two thousand eleven, authorized under the
12 authority of section seven, article eighteen, chapter twenty-
13 two, of this code, relating to the Commissioner of Highways
14 (transportation of hazardous wastes upon the roads and
15 highways, 157 CSR 7), is authorized.

§64-8-2. Division of Motor Vehicles.

1 The legislative rule filed in the state register on the
2 twenty-ninth day of July, two thousand eleven, authorized
3 under the authority of section eight, article two-a, chapter
4 seventeen-d, of this code, modified by the Division of Motor
5 Vehicles to meet the objections of the Legislative Rule-
6 Making Review Committee and refiled in the State Register
7 on the twentieth day of October, two thousand eleven,
8 relating to the Division of Motor Vehicles (compulsory motor
9 vehicle liability insurance, 91 CSR 13), is authorized.