

H. B. 2976

(By Delegates Walters, Canterbury, E. Nelson,
Raines, Skaff, Barrett and Manchin)

[Introduced March 19, 2013; referred to the
Committee on Roads and Transportation then Finance.]

**FISCAL
NOTE**

A BILL to amend the Code of West Virginia, 1931, as amended, by
adding thereto a new section, designated §17-2A-8d, relating
to roads and highways; the West Virginia Commissioner of
Highways; and authorizing the creation of a fund for pothole
repair contributed to by private businesses or entities; and
providing for recognition of the contribution of the private
businesses or entities at the site of repair.

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 §17-2A-8d, to read as
follows:

ARTICLE 2A. WEST VIRGINIA COMMISSIONER OF HIGHWAYS.

**§17-2A-8d. Authority to create special fund for pothole repair;
contributions by private businesses or entities;
work to be done by Division of Highways.**

Notwithstanding any provision of this code or law to the

1 contrary, the commissioner shall create a special fund to be used
2 solely for the repair of potholes in any municipality, county or in
3 any state road or highway. This special fund may include any
4 moneys received by or appropriated to the Division of Highways for
5 the purpose of repairing potholes. Private businesses or entities
6 may contribute to the special fund for the repair of potholes and
7 may designate which potholes are to be repaired from the
8 contribution of that private business or entity in a given
9 municipality, county or state road or highway. The private
10 business or entity may receive acknowledgment of the contribution
11 toward the repair of the pothole at the site of the repair in
12 biodegradable spray paint. The commissioner shall prescribe the
13 manner of the acknowledgment. All repairs shall be performed by
14 the Division of Highways.

NOTE: The purpose of this bill is to authorize the West Virginia Commissioner of Highways to create a fund for pothole repair contributed to by private businesses or entities; and to provide for recognition of the contribution of the private businesses or entities at the site of repair.

§17-2A-8d is new; therefore, it has been completely underscored.