

WEST VIRGINIA LEGISLATURE

2017 REGULAR SESSION

Introduced

Senate Bill 34

FISCAL
NOTE

BY SENATORS MULLINS, JEFFRIES AND CLINE

[Introduced February 8, 2017; referred
to the Committee on Transportation and Infrastructure; and
then to the Committee on Finance]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
 2 designated §17-17A-8, relating to providing for special obligation notes to finance
 3 construction of completion of the Coalfields Expressway through West Virginia; providing
 4 for the repayment of the bonds by automated toll booth collections; directing the
 5 Commissioner of Highways to propose legislative rules designed to implement placement
 6 of automated toll booths; and authorizing the commissioner to enter into agreements, with
 7 the Governor's consent, with the United States Department of Transportation to erect
 8 automated toll booths along interstate highways.

Be it enacted by the Legislature of West Virginia:

1 That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new
 2 section, designated §17-17A-8, to read as follows:

**ARTICLE 17A. CONSTRUCTION FINANCING FOR SURFACE TRANSPORTATION
 IMPROVEMENTS.**

**§17-17A-8. Legislative finding and declaration; commissioner to issue special obligation
 notes as funding for the completed construction of the Coalfields Expressway
 within the boundaries of the state; commissioner to propose legislative rules for
 the placement of automated toll booths to collect tolls to be dedicated to repayment
 of special obligation notes.**

1 (a) The Legislature makes the following findings and declarations:

2 (1) U.S. Route 121 is a proposed highway designated as the Coalfields Expressway, a
 3 four-lane highway stretching from Beckley, West Virginia to Pound, Virginia, approximately sixty-
 4 two miles in length.

5 (2) Construction started in 1999 with a three-level diamond interchange near Welch in
 6 western West Virginia. This was intended to facilitate traffic going between the King Coal
 7 Highway/Interstate 73/Interstate 74 and the Coalfields Expressway (U.S. 121).

8 (3) Grading work was completed in 2003, but the interchange remains incomplete as of
9 2010.

10 (4) The West Virginia Department of Transportation officially requested designation of the
11 Coalfields Expressway as U.S. 121 in May of 1998. It was intended to be constructed as a four-
12 lane partially-controlled access highway with at-grade intersections. It is also intended to be built
13 to the same specifications as Corridor G, H, and other Appalachian Development Highway
14 System highways.

15 (b) In accordance with the findings and declarations contained in subsection (a) of this
16 section, as well as the provisions of this article, the commissioner is directed, where feasible, to
17 issue special obligation notes and where available, to secure federal matching funds, to contribute
18 to the cost of completing the construction of the Coalfields Expressway (U.S. 121) through the
19 borders of this state.

20 (c) The commissioner is further directed to seek as a revenue source, proceeds from
21 automated toll booths capable of obtaining payment from credit and debit cards and United States
22 currency. The commissioner shall propose rules for legislative approval in accordance with the
23 provisions of article three, chapter twenty-nine-a of this code designed to implement the
24 placement of tolls along appropriate highways located in appropriate regions and to designate
25 appropriate intervals of distance from one toll booth to another. The commissioner is authorized
26 to seek agreements with the United States Department of Transportation, with the Governor's
27 consent, for the placement of automated toll booths along Interstate Highways in order to
28 generate revenue to pay special obligation notes issued in accordance with this section and to
29 otherwise pay towards the cost of completion of construction of the Coalfields Expressway (U.S.
30 121) within the boundaries of the state.

NOTE: The purpose of this bill is to seek funding, where feasible, for completing construction of the Coalfields Expressway. The bill provides the Commissioner of the WVDOH may issue special obligation notes for this purpose and, additionally, erect

automated toll booths in appropriate areas to pay toward completing the project. The commissioner is also directed to propose rules for legislative approval designed to implement the placement of automated toll booths provided in the bill and to enter into agreements with the United States Department of Transportation, with the Governor's consent, to place automated toll booths along interstate highways in the state.

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