

# **WEST VIRGINIA LEGISLATURE**

## **2017 REGULAR SESSION**

**Introduced**

### **House Bill 2567**

BY DELEGATE THOMPSON

[Introduced February 20, 2017; Referred  
to the Committee on Roads and Transportation then  
the Judiciary.]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
 2 designated §17-4-5a, relating to requiring that state and public roads that have not been  
 3 maintained for a period of three consecutive years shall be returned to their original tract  
 4 of land.

*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 §17-4-5a, to read as follows:

**ARTICLE 4. STATE ROAD SYSTEM.**

**§17-4-5a. Failure to maintain state and public roads.**

- 1 (a) For the purpose of this subsection, "maintain" shall mean to patch, pave, repair or mow.
- 2 (b) Any state or public road the Division of Highways or a political subdivision of the State
- 3 of West Virginia has failed to maintain for a period of three consecutive years shall be returned to
- 4 the original tract of land from which it was taken.

NOTE: The purpose of this bill is to require that state and public roads that have not been maintained for a period of three consecutive years shall be returned to their original tract of land.

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