

# **WEST VIRGINIA LEGISLATURE**

## **2019 REGULAR SESSION**

**Introduced**

### **House Bill 2112**

BY DELEGATE THOMPSON

[Introduced January 9, 2019; Referred  
to the Committee on Technology and Infrastructure 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:*

**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.