

WEST VIRGINIA LEGISLATURE

2020 REGULAR SESSION

Introduced

House Bill 4296

BY DELEGATE FOSTER

[Introduced January 14, 2020; Referred
to the Committee on Technology and Infrastructure
then the Judiciary]

1 A BILL to amend and reenact §64-8-1 of the Code of West Virginia, 1931, as amended, relating
2 to authorizing the Division of Highways to promulgate a legislative rule relating to small
3 wireless facilities on Division of Highways rights-of-way.

Be it enacted by the Legislature of West Virginia:

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

§64-8-1. Division of Highways.

1 The legislative rule filed in the State Register on July 29, 2019, authorized under the
2 authority of §31H-2-3 of this code, modified by the Division of Highways to meet the objections of
3 the Legislative Rule-Making Review Committee and refiled in the State Register on January 8,
4 2020, relating to the Division of Highways (small wireless facilities on Division of Highways rights-
5 of-way, [157 CSR 13](#)), is authorized.

NOTE: The purpose of this bill is to authorize the Division of Highways to promulgate a legislative rule relating to small wireless facilities on Division of Highways rights-of-way.

This section is new; therefore, strike-throughs and underscoring have been omitted.