

## Performance Review: West Virginia Parkways Authority

### PERD's Objective:

The objective of this review is to examine if the Parkways Authority complied with the statutory requirements associated with implementing the Single Fee Program as authorized by West Virginia Code §17-16A-6(a)(16).

### Key Recommendations:

In accordance with law, the Parkways Authority should coordinate with the West Virginia Division of Motor Vehicles to make the Single Fee Program available to owners of motor vehicles in the state or from other states who opt into the program.

Legislative rules should be proposed in consultation with the Division of Motor Vehicles.

A Single Fee Program Fund should be created by the Parkways Authority to receive all single fee revenue.

The Parkways Authority should ensure that the single fee is sufficient to cover the administrative costs of the Single Fee Program.

**Agency Purposes:** The Parkways Authority is statutorily established to oversee the maintenance and management of the West Virginia Turnpike, which is a four-lane toll highway, 88 miles in length, from Charleston to Princeton, West Virginia.

### What Did PERD Find?

- The Parkways Authority established a Single Fee Program authorized under West Virginia Code §17-16A-6(a)(16); however, it did not implement several of the required provisions of that section of code.
- The Parkways Authority disagrees with the findings of the report by stating that it established a toll discount program under Section 29; therefore, the requirements of Section 6 do not apply.
- A legal opinion from the Legislative Services Division of the Legislative Auditor's Office determined that the Parkways Authority established a Single Fee Program under Section 6 of its enabling statute; therefore, all provisions of Section 6 should be implemented.
- The Parkways Authority had a feasibility study performed of the Single Fee Program as required under Section 6, but the following provisions were not implemented:
  - The Single Fee Program has not been made available through the Division of Motor Vehicles (DMV) for motorists who would opt into the toll discount program.
  - A separate Single Fee Program Fund to receive all single fee revenues has not been established.
  - Legislative rules have not been proposed by the Parkways Authority in consultation with the DMV.
  - PERD finds that it is not clear if the single fee is sufficient to cover the Single Fee Program expenses, as required by law, because the agency commingles the Single Fee Program expenses with the expenses of other toll discount programs.