

2 **Senate Bill No. 135**

3 (By Senators Minard, Snyder, Prezioso,
4 Unger, Boley and K. Facemyer)

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6 [Introduced January 18, 2011; referred to the Committee on
7 Transportation and Infrastructure; and then to the Committee on
8 the Judiciary.]
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11 A BILL to amend and reenact article 8, chapter 64 of the Code of
12 West Virginia, 1931, as amended, relating to authorizing the
13 Commissioner of Highways to promulgate a legislative rule
14 relating to the use of state road rights-of-way and adjacent
15 areas.

16 *Be it enacted by the Legislature of West Virginia:*

17 That article 8, chapter 64 of the Code of West Virginia, 1931,
18 as amended, be amended and reenacted to read as follows:

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

21 **§64-8-1. Commissioner of Highways.**

22 The legislative rule filed in the state register on the

1 sixteenth day of July, two thousand ten, authorized under the
2 authority of section one, article twenty, chapter seventeen, of
3 this code, relating to the Commissioner of Highways (use of state
4 road rights of way and adjacent areas, 157 CSR 6), is authorized.

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6 NOTE: The purpose of this bill is to authorize the
7 Commissioner of Highways to promulgate a legislative rule relating
8 to the Use of State Road Rights of Way and Adjacent Areas.

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