

WEST VIRGINIA LEGISLATURE

2016 REGULAR SESSION

Committee Substitute

for

Senate Bill 150

BY SENATOR MAYNARD

[Originating in the Committee on the Judiciary; Reported
on January 27, 2016.]

1 A BILL to amend and reenact article 8, chapter 64 of the Code of West Virginia, 1931, as
2 amended, relating generally to the promulgation of administrative rules by the Department
3 of Transportation; authorizing certain of the agencies to promulgate certain legislative
4 rules with various modifications presented to and recommended by the Legislative Rule-
5 Making Review Committee; authorizing the Office of Administrative Hearings to
6 promulgate a legislative rule relating to appeal procedures; authorizing the Division of
7 Highways to promulgate a legislative rule relating to the State Transportation Infrastructure
8 Fund Program; and authorizing the Division of Public Transit to promulgate a legislative
9 rule relating to rail-fixed guideway systems state safety oversight.

Be it enacted by the Legislature of West Virginia:

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

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

§64-8-1. Office of Administrative Hearings.

1 The legislative rule filed in the State Register on July 31, 2015, authorized under the
2 authority of section four-a, article five-c, chapter seventeen-c of this code, modified by the Office
3 of Administrative Hearings to meet the objections of the Legislative Rule-Making Review
4 Committee and refiled in the State Register on November 5, 2015, relating to the Office of
5 Administrative Hearings (appeal procedures, 105 [CSR](#) 1), is authorized.

§64-8-2. Division of Highways.

6 The legislative rule filed in the State Register on July 31, 2015, authorized under the
7 authority of section five, article seventeen-b, chapter seventeen of this code, modified by the
8 Division of Highways to meet the objections of the Legislative Rule-Making Review Committee
9 and refiled in the State Register on September 30, 2015, relating to the Division of Highways

10 (state transportation infrastructure fund program, 157 [CSR 11](#)), is authorized.

§64-8-3. Division of Public Transit.

11 The legislative rule filed in the State Register on July 31, 2015, authorized under the
12 authority of section three, article sixteen-e, chapter seventeen of this code, modified by the
13 Division of Public Transit to meet the objections of the Legislative Rule-Making Review Committee
14 and refiled in the State Register on September 30, 2015, relating to the Division of Public Transit
15 (rail fixed guideway systems state safety oversight, 225 [CSR 1](#)), is authorized.