

# **WEST VIRGINIA LEGISLATURE**

## **2021 REGULAR SESSION**

**Introduced**

### **House Bill 2113**

BY DELEGATES FLEISCHAUER AND WALKER

[Introduced February 10, 2021; Referred to the  
Committee on Technology and Infrastructure then  
Government Organization]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
 2 designated §17-2A-25, relating to paving contracts; requiring the Commissioner of  
 3 Highways to establish a pilot project in Division of Highways District 4 to evaluate alternate  
 4 terms in paving contracts; requiring annual reports.

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

**ARTICLE 2A. WEST VIRGINIA COMMISSIONER OF HIGHWAYS.**

**§17-2A-25. Authority to establish pilot project regarding combined paving and maintenance contract provisions.**

1 The commissioner shall initiate a pilot project in District 4 of the Division of Highways to  
 2 evaluate whether combining contract terms requiring the contractor to maintain paved secondary  
 3 roads for seven years after performing the initial paving of the secondary roads would produce a  
 4 result both more convenient for the public and cost effective for the division. The district shall let  
 5 at least three projects involving combined paving and maintenance contracts for secondary roads  
 6 in each of the counties in the district during the pilot project.

7 The division shall draft criteria for which roads would be covered, how requirements would  
 8 be implemented and evaluated, and share the criteria and the results in yearly reports to the Joint  
 9 Committee on Government and Finance and to all of the Legislators in District 4.

NOTE: The purpose of this bill is to provide for the Commissioner of Highways to establish a pilot project to explore whether requiring paving contractors to also maintain for seven years the secondary roads they pave would produce better results than current practice. Annual reports to the Legislature’s Joint Committee on Government and Finance are required.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.