

WEST VIRGINIA LEGISLATURE

2022 REGULAR SESSION

Introduced

Senate Bill 566

FISCAL
NOTE

BY SENATOR MAYNARD

[Introduced February 02, 2022; referred
to the Committee on Economic Development; and
then to the Committee on Finance]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article,
 2 designated §5B-1C-1 and §5B-1C-2, all relating to requiring the Department of Commerce
 3 to collaborate with state agencies to develop a plan for adventure travel recreation
 4 promotion in this state.

Be it enacted by the Legislature of West Virginia:

ARTICLE 1C. ADVENTURE TRAVEL RECREATION.

§5B-1C-1. Legislative findings and intent.

1 (a) The Legislature declares the following findings:

2 (1) Adventure travel is enjoying an ever-increasing popularity in West Virginia.

3 (2) Adventure travel includes both motorized recreation and motorized off-highway access
 4 to nonmotorized recreation activities.

5 (3) The indiscriminate and uncontrolled use of those vehicles may have a deleterious
 6 impact on the environment, wildlife habitats, sensitive areas, native wildlife, and native flora.

7 (b) The Legislature hereby declares that effectively managed areas and adequate facilities
 8 for the use of off-highway vehicles and conservation and enforcement are essential for
 9 ecologically balanced recreation.

10 (c) Accordingly, it is the intent of the Legislature that:

11 (1) Existing adventure travel recreational areas, facilities, and opportunities should be
 12 expanded and managed in a manner consistent with this article, with particular focus on
 13 maintaining sustained, long-term use;

14 (2) New adventure travel recreational areas, facilities, and opportunities should be
 15 provided and managed pursuant to this article in a manner that will conscientiously sustain long-
 16 term use;

17 (3) The Department of Commerce should support both motorized adventure travel
 18 recreation and motorized off-highway access as well as nonmotorized recreation;

19 (4) When an area or trail or portion thereof cannot be maintained to appropriate

20 established standards for sustained long-term use, it should be closed to use and brought back
21 into compliance with those standards. Those areas should remain closed until they can be
22 managed within soil conservation and wildlife protection standards and, if these standards cannot
23 be met, those areas should, at a minimum, be restored to the condition prior to the use of the
24 area, trail, or portion designated for vehicular recreation;

25 (5) Prompt and effective implementation of the Adventure Travel Recreation Program by
26 the department and establishment of an Office of Adventure Travel Recreation should have an
27 equal priority among other programs in the department;

28 (6) Adventure travel motor vehicle recreation should be managed in accordance with this
29 article through financial assistance to local governments and joint undertakings with agencies of
30 the United States.

§5B-1C-2. Collaboration of state departments for the promotion of adventure travel.

1 The Department of Commerce, in collaboration and consultation with the state Department
2 of Economic Development, the state Department of Tourism, and the state Department of
3 Transportation, shall develop and present a plan to promote adventure travel throughout the state.
4 This plan shall include, but not be limited to, programs to encourage federal funding of adventure
5 travel initiatives. The Department of Commerce shall submit its plan to the West Virginia
6 Legislature no later than December 30, 2022.

NOTE: The purpose of this bill is to require the Department of Commerce to investigate and prepare a plan for development of an adventure travel program in this state.

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