

# **WEST VIRGINIA LEGISLATURE**

**2025 REGULAR SESSION**

**Committee Substitute**

**for**

**Senate Bill 1**

BY SENATORS CHAPMAN AND RUCKER

[Reported March 11, 2025, from the Committee on  
Transportation and Infrastructure]



1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new section,  
2 designated §17-4-8a, relating to road paving and utility work coordination; defining terms;  
3 requiring reports by utilities; requiring report review by the Division of Highways and  
4 posting of information on its website; and requiring restoration work by utilities.

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

**ARTICLE 4. STATE ROAD SYSTEM.**

**§17-4-8a. Road paving and utility work coordination.**

1 (a) In order to avoid the destruction of newly paved roads, each utility and the Division of  
2 Highways shall coordinate with each other concerning the timing of paving activity and utility work  
3 that disturbs any paved road.

4 (b) For purposes of this section:

5 (1) "Paved road" means any paved road in the state road system.

6 (2) "Paving activity" means any paving or resurfacing of at least 300 linear feet of a state  
7 right-of-way but excludes patching.

8 (3) "Utility" means any utility as defined in §17-2A-17a of this code.

9 (c) Beginning in February 2026 and annually thereafter, each utility shall provide a report  
10 that lists all projects planned by the utility that require digging or cutting into any paved road to  
11 the district office of the Division of Highways in which the paved road is located. The report shall  
12 include identification of any grants that have either been received or applied for that may result in  
13 work that affects a paved road. The Division of Highways shall review and consider such reports  
14 in conjunction with the division's planning of projects and paving activity.

15 (d) Beginning September 1, 2025, the Division of Highways shall make available on the  
16 division's website the following:

17 (1) A map of its districts;

18 (2) A list of all planned paving activities with approximate paving activity dates and with  
19 reasonable paving activity location information; and

20 (3) A copy of all reports provided by a utility by district pursuant to this section for the most  
21 current year.

22 (e) Nothing in this section prohibits the Division of Highways from filling potholes or  
23 performing other necessary maintenance work for the safety of vehicular or foot traffic upon roads  
24 that are scheduled for utility projects.

25 (f) Nothing in this section prohibits a utility from digging or cutting and subsequently  
26 patching paved roads in accordance with §17-16-6 of this code in order to perform necessary  
27 utility repairs or projects. After performing any work that damages a paved road or other public  
28 right-of-way, the utility shall repair the road or right-of-way without unreasonable delay to a  
29 condition as good or better than before the utility work.