

WEST VIRGINIA LEGISLATURE

2025 REGULAR SESSION

Introduced

Senate Bill 801

By Senator Woodrum

[Introduced March 18, 2025; referred
to the Committee on Natural Resources; and then to
the Committee on Government Organization]

A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §20-3C-1, §20-3C-2, §20-3C-3, and §20-3C-4, relating to creating the West Virginia Public Waterway Act; establishing purpose and legislative findings; defining terms; requiring public access at bridge crossings; and requiring implementation by the Department of Transportation, in cooperation with the Division of Natural Resources.

Be it enacted by the Legislature of West Virginia:

ARTICLE 30C. WEST VIRGINIA PUBLIC WATERWAY ACCESS ACT.

§20-3C-1. Purpose and findings.

The purpose of this article is to ensure public access to the state's rivers and streams for recreational purposes. This article recognizes the importance of outdoor recreation to the health and well-being of West Virginia's residents and visitors. The Legislature finds that river access points provide several benefits:

(1) Recreational opportunities: They serve as launch facilities for boats or other watercraft, allowing people to engage in recreational activities such as fishing, boating, and swimming;

(2) Economic impact: They can boost local economies by attracting tourists and recreational enthusiasts, who contribute to the local economy through spending on goods and services;

(3) Environmental Education: They provide opportunities for people to connect with nature, fostering a greater appreciation and understanding of the environment.

(4) Health and Well-being: They offer spaces for outdoor recreation, which has been shown to have numerous health benefits, including stress reduction and improved physical health.

(5) Community Engagement: They can serve as community gathering spots, fostering social interaction and community engagement; and

(6) The thoughtful planning and design supported by the planning guide will benefit the public. River users will also benefit from an enhanced recreation experience shaped by mindful planning and design.

§20-3C-2. Definitions.

1 For the purposes of this article, "public bridge" refers to any bridge that is maintained with
2 public funds and crosses a navigable river or stream.

§20-3C-3. Public access at bridge crossings.

1 (a) Whenever a new public bridge is constructed or an existing one is replaced or
2 substantially repaired, an access point to the river or stream shall be included in the project, if it is
3 safe and practical to do so.

4 (b) The access point shall be designed in a manner that allows safe and reasonable
5 access for recreational users.

§20-3C-4. Implementation.

1 The Department of Transportation, in cooperation with the Department of Natural
2 Resources, shall develop guidelines for the implementation of this article. These guidelines shall
3 include standards for the design and location of access points and approved access features for
4 fences.

NOTE: The purpose of this bill is to create of the West Virginia Public Waterway Act providing public access bridge crossings; fencing; and requiring implementation by the Department of Transportation, in cooperation with the Department of Natural Resources.

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