

# **WEST VIRGINIA LEGISLATURE**

**2026 REGULAR SESSION**

**Committee Substitute**

**for**

**Senate Bill 752**

BY SENATOR M. MAYNARD

[Reported February 17, 2026, 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 §17-2-3; and to repeal §7-1-3qq, relating to racing events; transferring  
3 authority for racing events from county commissions to Department of Transportation;  
4 authorizing Department of Transportation to permit motor vehicle racing events and  
5 impose permit fee; defining terms; imposing permit issuance requirements; making certain  
6 laws inapplicable to racing events; and setting forth liability and indemnification provisions.

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

## **CHAPTER 7. COUNTY COMMISSIONS AND OFFICERS.**

### **ARTICLE 1. COUNTY COMMISSIONS GENERALLY.**

**§7-1-3qq. Authorizing county commissions to hold motor vehicle racing events on public roads, municipal streets, or airports.**

1 [Repealed.]

## **CHAPTER 17. ROADS AND HIGHWAYS.**

### **ARTICLE 2. DEPARTMENT OF TRANSPORTATION.**

**§17-2-3. Authorizing Department of Transportation to permit motor vehicle racing events.**

1 (a) The Department of Transportation is hereby authorized to issue a permit to any  
2 motorsports sanctioning body to organize and hold a motor vehicle racing event on public roads,  
3 to impose permit requirements, and to charge a permit fee for deposit into the State Road Fund  
4 in an amount designed to reimburse the department for administrative costs related to the permit  
5 issuance. A person may not conduct a racing event on public roads unless the person has been  
6 issued a permit under this section for such racing event.

7 (b) As used in this section:

8 (1) "Department" means the West Virginia Department of Transportation and includes the  
9 Division of Highways;

10           (2) "Motor vehicle" means and includes any mechanical device for the conveyance,  
11 drawing, or other transportation of persons or property upon the public roads, whether operated  
12 on wheels or runners or by other means, except those propelled or drawn by human power or  
13 those used exclusively upon rails;

14           (3) "Person" means an individual, group, or legal entity;

15           (4) "Permittee" means any person who obtained a permit as authorized in this section or  
16 who applied for such a permit;

17           (5) "Public road" means a road under the control of the department, any road owned by a  
18 municipality for which a permittee has obtained written permission of the governing body of such  
19 municipality, any road owned by a county for which a permittee has obtained written permission  
20 of the county commission of such county, and any part of an airport for which a permittee has  
21 obtained written permission of the applicable airport and regional airport authority if such use does  
22 not violate federal law, but it excludes any road if the department determines that the use of the  
23 road for a racing event would jeopardize any funding;

24           (6) "Racing event" means a motor vehicle race which is sanctioned by a nationally or  
25 internationally recognized motorsports sanctioning body or racing organization and includes  
26 preparation, practice, qualification for such a race, and the racing event.

27           (c) Before the department may issue any racing event permit under this section, the  
28 department shall be assured by the permittee that the person applying for the permit has:

29           (1) Adequate insurance to pay damages for potential loss or injury to any person or  
30 property because of the racing event;

31           (2) Ensured for adequate security, emergency services, and necessary facilities for the  
32 racing event, including names and phone numbers of emergency and law-enforcement contacts  
33 overseeing the racing event;

34           (3) Demonstrated an ability to protect the health, safety, and welfare of the public, event  
35 participants, and property during the racing event;

36 (4) Reasonable plans for the implementation of the temporary closure or obstruction of  
37 public roads, the rerouting of pedestrian and vehicular traffic, and traffic control;

38 (5) Obtained any permissions from municipalities, counties, airports, and airport  
39 authorities as may be required under this section; and

40 (6) Agreed to any additional permit requirement that the department may impose.

41 (d) The provisions related to road obstructions and public nuisance as set forth in §17-16-  
42 1 or related to speed restrictions set forth in §17C-6-1 et seq. do not apply to an authorized racing  
43 event held under this section.

44 (e) The department shall not be liable for any damage or injury that may result from a  
45 racing event. The permittee shall indemnify and hold harmless the state and the department,  
46 including any of its appointees, employees, and contractors, from all suits, actions, or claims of  
47 any character due to any injuries or damage received or sustained by any person or property  
48 related to any racing event held under this section.