

# **WEST VIRGINIA LEGISLATURE**

## **2026 REGULAR SESSION**

**Introduced**

### **Senate Bill 979**

By Senator Rucker

[Introduced February 18, 2026; referred  
to the Committee on Transportation and  
Infrastructure]

1 A BILL to amend and reenact §17-4-19 of the Code of West Virginia, 1931, as amended, relating to  
 2 roads and highways; and requiring the Commissioner of the Division of Highways publish  
 3 project bids on their website.

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

**CHAPTER 17. ROADS AND HIGHWAYS**

**§17-4-19. CONTRACTS FOR CONSTRUCTION, MATERIALS, ETC.; WORK BY PRISON LABOR, ETC.; BIDDING PROCEDURE.**

1 (a) All work of construction and reconstruction of state roads and bridges, and the  
 2 furnishing of all materials and supplies therefor, and for the repair thereof shall be done and  
 3 furnished pursuant to contract, except that the commissioner may not be required to award any  
 4 contract for work which can be done advantageously, economically and practicably by  
 5 commission forces or prison labor and by use of state road equipment, or for materials and  
 6 supplies, which are manufactured, processed or assembled by the commissioner: *Provided*, That  
 7 the commissioner may not be required to award any contract for work, materials or supplies for an  
 8 amount less than \$3,000. In all the work, the commissioner shall utilize state road forces or prison  
 9 labor and state road equipment and shall manufacture, process and assemble all the materials  
 10 and supplies for the work whenever and wherever the commissioner, in his or her discretion, finds  
 11 work and services advantageous, economical and practicable in the state road program.

12 (b) If the work is to be done, or the materials therefor are to be furnished by contract, the  
 13 commissioner shall thereupon publish the following described advertisement at least 14 calendar  
 14 days in advance of any letting. The publication shall be made on the website of the West Virginia  
 15 Department of Transportation as well as any other electronic medium approved by the  
 16 commissioner, and may also be published in any newspaper, journal or magazine approved by the  
 17 commissioner. ~~as a Class II legal advertisement, in compliance with the provisions of article three,~~  
 18 ~~chapter fifty-nine of this code, and the publication area for the publication shall be the county or~~

19 municipality in which the road lies.

20 (c) ~~The advertisement shall also be published at least once in at least one daily newspaper~~  
21 ~~published in the city of Charleston and in other journals or magazines as may to the commissioner~~  
22 ~~seem advisable~~ The advertisement shall solicit sealed proposals for the construction or other  
23 improvement of the road, and for the furnishing of materials therefor, accurately describing the  
24 same, and stating the time and place for opening the proposals and reserving the right to reject  
25 any and all proposals: *Provided*, That whenever the estimated amount of any contract for work or  
26 for materials or supplies is less than \$3,000, the commissioner may not be required to advertise  
27 the letting of the contract ~~in newspapers~~ as above required, but may award the contract to the  
28 lowest responsible bidder, when two or more sealed proposals or bids have been received by him  
29 or her without the advertisement, but the contract may not be so awarded unless the bid of the  
30 successful bidder is \$3,000 or less.

NOTE: The purpose of this bill is to remove the requirement of the Commissioner of Highways to publish project bids in daily newspapers.

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