

# WEST VIRGINIA LEGISLATURE

## 2026 REGULAR SESSION

Introduced

### Senate Bill 982

FISCAL  
NOTE

By Senator Morris

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

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new article,  
 2 designated §17-31-1, §17-31-2, §17-31-3, §17-31-4, §17-31-5, §17-31-6, §17-31-7, §17-  
 3 31-8, and §17-31-9, relating to creating of the Neighborhood Access Road Program;  
 4 establishing a special revenue fund; defining eligible and prohibited uses; setting minimum  
 5 residential thresholds; limiting project funding; requiring annual reporting; and providing for  
 6 a sunset date.

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

**CHAPTER 17. ROADS AND HIGHWAYS**

**ARTICLE 31. NEIGHBORHOOD ACCESS ROAD PROGRAM.**

**§17-31-1. Legislative findings and purpose.**

1 The Legislature finds that West Virginia faces ongoing population decline and a shortage  
 2 of build-ready housing. The Legislature further finds that inadequate public roadway access to  
 3 residential neighborhoods is a significant barrier to housing development, community stability, and  
 4 population growth, particularly in rural areas of the state.

5 It is the purpose of this article to establish a targeted program to support the construction  
 6 and improvement of public access roads serving residential neighborhoods and subdivisions,  
 7 while avoiding state responsibility for internal subdivision infrastructure or private roadways.

**§17-31-2. Creation of the Neighborhood Access Road Program.**

1 There is hereby created the Neighborhood Access Road Program, to be administered by  
 2 the West Virginia Division of Highways, to provide funding for the construction or improvement of  
 3 public access roads serving eligible residential neighborhoods and subdivisions.

**§17-31-3. Neighborhood Access Road Fund.**

1 (a) There is hereby created in the State Treasury a special revenue account to be known  
 2 as the Neighborhood Access Road Fund.

3 (b) The fund shall consist of appropriations made by the Legislature, grants, federal funds,

4 and any other funds designated for deposit.

5 (c) Moneys in the fund shall be expended solely for the purposes authorized by this article.

**§17-31-4. Eligible funding uses.**

1 (a) Funds under the Neighborhood Access Road Program may be used for the  
2 construction, improvement, or upgrade of public access roads that:

3 (1) Serve new residential neighborhoods or subdivisions;

4 (2) Serve expansion phases of existing residential neighborhoods or subdivisions; or

5 (3) Provide improved access to existing residential neighborhoods that:

6 (A) Contain a substantial number of residential dwelling units; and

7 (B) Lack adequate public roadway access due to substandard conditions, insufficient  
8 capacity or safety features, or connectivity limitations affecting emergency services, school  
9 transportation, or general public access.

10 (b) All projects funded under this article shall involve roadways that:

11 (1) Are located outside the interior boundaries of a neighborhood or subdivision;

12 (2) Are dedicated to public use; and

13 (3) Are accepted into the state or local public road system.

**§17-31-5. Minimum residential threshold and project eligibility.**

1 (a) To be eligible for funding under this article, a project shall serve a minimum of:

2 (1) Twenty single-family dwelling units;

3 (2) Twenty multifamily dwelling units; or

4 (3) A combination of single-family and multifamily dwelling units totaling at least twenty  
5 residential units.

6 (b) For purposes of this section, each dwelling unit shall be counted as one residential  
7 unit regardless of structure type.

8 (c) Local government financial participation shall not be required as a condition of  
9 eligibility or approval under this program.

10 (d) Approval of projects under this article is discretionary and subject to the availability of  
11 funds.

**§17-31-6. Prohibited uses.**

- 1 (a) Funds authorized under this article may not be used for:  
2 (1) Roads located within the interior of a neighborhood or subdivision;  
3 (2) Private roads, gated roads, or roads owned or maintained by a homeowners'  
4 association;  
5 (3) Internal subdivision streets, driveways, or parking areas;  
6 (4) Routine maintenance unrelated to residential access needs; or  
7 (5) Roads serving exclusively commercial or industrial development.

**§17-31-7. Project funding limitation.**

- 1 (a) No single project approved under the Neighborhood Access Road Program may  
2 receive more than \$750,000 in program funds during any single fiscal year.  
3 (b) A project may receive funding in more than one fiscal year, subject to the annual  
4 funding limitation and the availability of funds.

**§17-31-8. Reporting and oversight.**

- 1 (a) The Division of Highways shall submit an annual written report to the Oversight  
2 Commission on Transportation Accountability detailing the administration and performance of the  
3 Neighborhood Access Road Program. The report shall include, at a minimum:  
4 (1) A list of projects approved and denied during the reporting period;  
5 (2) The location and description of each approved project;  
6 (3) The number and type of residential units served by each project;  
7 (4) Total expenditures from the Neighborhood Access Road Fund;  
8 (5) Anticipated long-term maintenance impacts to the public road system; and  
9 (6) Any recommendations for statutory changes or program improvements.

**§17-31-9. Sunset.**

1           (a) The Neighborhood Access Road Program shall terminate ten years after the effective  
2 date of this article, unless reauthorized by the Legislature.

3           (b) Any funds remaining in the Neighborhood Access Road Fund upon termination shall  
4 revert to the State Road Fund unless otherwise directed by law.

5           (c) The termination of the program shall not affect the validity or completion of any  
6 project approved prior to the sunset date.

NOTE: The purpose of this bill is to create the Neighborhood Access Road Program.

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