

2 **H. B. 4206**

3 (By Delegate(s) Brown, Poling, D., Fleischauer, Talbott and  
4 Overington)

5 [Introduced January 19, 2012; referred to the Committee on Roads  
6 and Transportation then the Judiciary.]

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10 A BILL to amend and reenact article 8, chapter 64 of the Code of  
11 West Virginia, 1931, as amended, relating to authorizing the  
12 Commissioner of Highways to promulgate a legislative rule  
13 relating to the construction and reconstruction of state  
14 roads.

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

16 That article 8, chapter 64 of the Code of West Virginia, 1931,  
17 as amended, be amended and reenacted to read as follows:

18 **ARTICLE 8. AUTHORIZATION FOR DEPARTMENT OF TRANSPORTATION TO**  
19 **PROMULGATE LEGISLATIVE RULES.**

20 **§64-8-1. Commissioner of Highways.**

21 The legislative rule filed in the State Register on the  
22 twenty-first day of July, two thousand eleven, authorized under the  
23 authority of section eight, article two-a, chapter seventeen, of  
24 this code, modified by the Commissioner of Highways to meet the  
25 objections of the Legislative Rule-Making Review Committee and  
26 refiled in the State Register on the tenth day of January, two

1 thousand twelve, relating to the Commissioner of Highways  
2 (construction and reconstruction of state roads, [157 CSR 3](#)), is  
3 authorized.

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5 NOTE: The purpose of this bill is to authorize the  
6 Commissioner of Highways to promulgate a legislative rule relating  
7 to the Construction and Reconstruction of State Roads.

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9 This section is new; therefore, strike-throughs and  
10 underscoring have been omitted.