

1 **H. B. 2562**

2
3 (By Delegate Gearheart)

4 [Introduced February 20, 2013; referred to the
5 Committee on Roads and Transportation then Finance.]

6 **FISCAL**
7 **NOTE**

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9
10 A BILL to amend and reenact §17-16A-1 of the Code of West Virginia,
11 1931, as amended, relating to prohibiting the West Virginia
12 Parkways Authority to borrow funds effective May 1, 2013;
13 requiring all duties, powers, functions, assets and
14 liabilities of the Parkways Authority be transferred to the
15 Division of Highways effective February 1, 2020; requiring all
16 equipment and employees used for construction and maintenance
17 activities by the Parkways Authority be transferred to the
18 Division of Highways effective February 1, 2020; and
19 prohibiting the collection of tolls effective February 1,
20 2020.

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

22 That §17-16A-1 of the Code of West Virginia, 1931, as amended,
23 be amended and reenacted to read as follows:

24 **ARTICLE 16A. WEST VIRGINIA PARKWAYS, ECONOMIC DEVELOPMENT AND**

1 **TOURISM AUTHORITY.**

2 **§17-16A-1. Constructing, operating, financing, etc., parkway,**
3 **economic development and tourism projects;**
4 **borrowing of funds prohibited; transfer of**
5 **authority, assets and personnel on February 1,**
6 **2020; collection of tolls to cease on February 1,**
7 **2020.**

8 (a) In order to remove the present handicaps and hazards on
9 the congested highways and roads in the State of West Virginia, to
10 facilitate vehicular traffic throughout the state, to promote and
11 enhance the tourism industry and to develop and improve tourist
12 facilities and attractions in the state, to promote the
13 agricultural, economic and industrial development of the state and
14 to provide for the construction of modern express highways,
15 including center divisions, ample shoulder widths, long sight
16 distances, the bypassing of cities, multiple lanes in each
17 direction and grade separations at all intersections with other
18 highways and railroads, to provide for the development,
19 construction, improvement and enhancement of state parks, tourist
20 facilities and attractions and to provide for the improvement and
21 enhancement of state parks presently existing, the West Virginia
22 Parkways, Economic Development and Tourism Authority (hereinafter
23 created) is hereby authorized and empowered to construct,

1 reconstruct, improve, maintain, repair and operate parkway
2 projects, economic development projects and tourism projects (as
3 those terms are hereinafter defined in section five of this
4 article) at such locations as shall be approved by the State
5 Department of Transportation.

6 (b) Beginning May 1, 2013, the West Virginia Parkways
7 Authority may not borrow funds secured by any asset for any reason.

8 (c) Beginning February 1, 2020, all duties, powers and
9 functions of the West Virginia Parkways Authority are transferred
10 to the West Virginia Division of Highways. All personnel and
11 equipment used and designated for the West Virginia Parkways
12 Authority for construction or maintenance activities involving or
13 related to the West Virginia Turnpike or any other tolled highways
14 operated under its authority are, in accordance with the transfer
15 of duties, powers and functions pursuant to this section, placed
16 under the authority and direction of the Division of Highways. All
17 assets and liabilities of the West Virginia Parkways Authority are
18 also transferred to the West Virginia Division of Highways at that
19 time.

20 (d) Beginning February 1, 2020 no toll may be charged to enter
21 or exit those areas of Interstates 64 and 77 commonly referred to
22 as the West Virginia Turnpike.

NOTE: The purpose of this bill is to prohibit the West Virginia Parkways Authority to borrow funds effective May 1, 2013. The bill requires all duties, powers, functions, assets and liabilities of the West Virginia Parkways Authority be transferred to the West Virginia Division of Highways effective February 1, 2020. The bill requires all equipment and employees used for construction and maintenance activities by the West Virginia Parkways Authority be transferred to the West Virginia Division of Highways effective February 1, 2020. The bill prohibits the collection of tolls effective February 1, 2020.

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