

1 COMMITTEE SUBSTITUTE

2 FOR

3 **Senate Bill No. 165**

4 (By Senator Snyder)

5 \_\_\_\_\_  
6 [Originating in the Committee on the Judiciary;

7 reported January 30, 2014.]

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11 A BILL to amend and reenact article 8, chapter 64 of the Code of  
12 West Virginia, 1931, as amended, relating generally to the  
13 promulgation of administrative rules by the Department of  
14 Transportation; legislative mandate or authorization for the  
15 promulgation of certain legislative rules by various executive  
16 or administrative agencies of the state; authorizing certain  
17 of the agencies to promulgate certain legislative rules with  
18 various modifications presented to and recommended by the  
19 Legislative Rule-Making Review Committee; authorizing certain  
20 of the agencies to promulgate certain legislative rules in the  
21 form that the rules were filed in the State Register;  
22 authorizing the Office of Administrative Hearings to  
23 promulgate a legislative rule relating to appeal procedures;  
24 and authorizing the Commissioner of Highways to promulgate a

1 legislative rule relating to the transportation of hazardous  
2 wastes upon the roads and highways.

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

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

6 **ARTICLE 8. AUTHORIZATION FOR DEPARTMENT OF TRANSPORTATION TO**  
7 **PROMULGATE LEGISLATIVE RULES.**

8 **§64-8-1. Office of Administrative Hearings.**

9 The legislative rule filed in the State Register on July 26,  
10 2013, authorized under the authority of section four-a, article  
11 five-c, chapter seventeen-c of this code, modified by the Office of  
12 Administrative Hearings to meet the objections of the Legislative  
13 Rule-Making Review Committee and refiled in the State Register on  
14 December 19, 2013, relating to the Office of Administrative  
15 Hearings (appeal procedures, 105 CSR 1), is authorized.

16 **§64-8-2. Commissioner of the Division of Highways.**

17 The legislative rule filed in the State Register on July 26,  
18 2013, authorized under the authority of section seven, article  
19 eighteen, chapter twenty-two of this code, relating to the  
20 Commissioner of the Division of Highways (transportation of  
21 hazardous wastes upon the roads and highways, 157 CSR 7), is  
22 authorized.