

# **WEST VIRGINIA LEGISLATURE**

## **2016 REGULAR SESSION**

### **Originating**

## **House Bill 4188**

BY DELEGATES HAMRICK, AMBLER, BOGGS, CADLE,  
GUTHRIE, LONGSTRETH, ROHRBACH, AND GEARHEART

[Originating in the Committee on Roads and  
Transportation; Reported on January 20, 2016]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto two new  
 2 sections, designated §17-4-55 and §17-4-56, all relating to the development and  
 3 implementation of a program to facilitate commercial sponsorship of rest areas and  
 4 welcome centers on controlled-access highway facilities; providing for sponsorship  
 5 agreements; agreement requirements; disposition of funds received from sponsorship  
 6 agreements; requiring promulgation of legislative rules; providing for an annual report of  
 7 the status of the program; establishing the Legislative Oversight Commission on  
 8 Controlled-access Highways Facilities Sponsorship; membership; compensation and  
 9 expenses of members; duties of the commission; and providing for an annual report.

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

1 That the Code of West Virginia, 1931, as amended, be amended by adding thereto two  
 2 new sections, designated §17-4-55 and §17-4-56, all to read as follows.

**ARTICLE 4. ROADS AND HIGHWAYS.**

**§17-4-55. Controlled access facilities sponsorship program.**

1 (a) The Division of Highways shall develop and implement a program to facilitate  
 2 commercial sponsorship of rest areas and welcome centers on controlled-access facilities to help  
 3 offset the costs of the operation and maintenance of controlled access facilities served. The  
 4 division shall develop the program in consultation with the Legislative Oversight Commission on  
 5 Controlled Access Highway Facilities Sponsorship established in section fifty-six of this article.

6 (b) The division may enter into sponsorship agreements with private entities in accordance  
 7 with this section. A sponsorship agreement may grant the private entity authority to place  
 8 advertising signs identifying itself as a sponsor of the facility that is visible to the traveling public  
 9 in consideration of a monetary amount, or the providing of maintenance or other services at the  
 10 facility. A sponsorship agreement may include any other provisions the division finds are  
 11 necessary.

12 (c) Sponsorship agreements shall require compliance with all applicable state and federal  
 13 rules and regulations governing any signage or other matters authorized by the agreement.

14 (d) All moneys received by the division from the sponsorship agreements shall be  
 15 deposited in the State Road Fund.

16 (e) The Commissioner of the Division of Highways shall propose rules for legislative  
 17 approval pursuant to article three, chapter twenty-nine-a of this code to establish and implement  
 18 the program as may be necessary to carry out the purposes of this section.

19 (f) On December 1, 2016, and on December 1 of every year thereafter, the Commissioner  
 20 of the division of Highways shall submit a report to the Legislative Oversight Commission on  
 21 Controlled-access Highway Facilities Sponsorship detailing the status and progress of the  
 22 development and implementation of the program.

**§17-4-56. Legislative oversight commission on controlled-access highway facilities**  
**sponsorship.**

1 (a) There is hereby created a joint commission of the Legislature known as the Legislative  
 2 Oversight Commission on Controlled-access Highways Facilities Sponsorship.

3 (b) The commission is to be composed of four members of the Senate appointed  
 4 by the President of the Senate and four members of the House of Delegates appointed  
 5 by the Speaker of the House of Delegates. No more than three of the four members  
 6 appointed by the President of the Senate and the Speaker of the House of Delegates,  
 7 respectively, may be members of the same political party. The President of the Senate and  
 8 the Speaker of the House of Delegates shall each appoint a chairperson from their respective  
 9 houses. The members shall serve until their successors have been appointed. The Commissioner  
 10 of the division or his or her designee shall also serve as an ex-officio non-voting member of the  
 11 commission and is encouraged to provide assistance to the commission in the carrying out of its  
 12 duties.

13 (c) Legislative members of the commission may receive compensation and expenses as  
14 provided in article two-a, chapter four of this code. Expenses, including those incurred in the  
15 employment of legal, technical, investigative, clerical, stenographic, advisory and other personnel,  
16 are to be approved by the Joint Committee on Government and Finance and paid from legislative  
17 appropriations.

18 (d) The commission may meet at any time both during sessions of the Legislature and in  
19 the interim or as often as may be necessary.

20 (e) The commission shall make a continued investigation, study and review of the  
21 development and implement the program to facilitate commercial sponsorship of rest areas and  
22 welcome centers on controlled-access facilities pursuant to section fifty-five of this article. The  
23 commission may consult with and make comments and recommendations to the Commissioner  
24 relating to the development and implementation of the program. The commission may also review  
25 any legislative rule promulgated by the commissioner pursuant to section fifty-five of this article  
26 and make recommendations concerning the rule to the Legislature.

27 (f) The commission shall report its findings and recommendations, including any  
28 recommended legislation, to the Joint Committee on Government and Finance on or before  
29 December 1, 2016 and on December 1 of every year thereafter.

NOTE: The purpose of this bill is to provide a program to develop and implement a program to facilitate commercial sponsorship of rest areas and welcome centers on controlled-access highway facilities. The bill also creates the Legislative Oversight Commission on Controlled-access Facilities Sponsorship to investigate, study and review the development and implementation of the 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.