

WEST VIRGINIA LEGISLATURE

2016 REGULAR SESSION

Committee Substitute

for

Senate Bill 150

BY SENATOR MAYNARD

[Originating in the Committee on the Judiciary; Reported
on January 27, 2016.]

1 A BILL to amend and reenact article 8, chapter 64 of the Code of West Virginia, 1931, as
2 amended, relating generally to the promulgation of administrative rules by the Department
3 of Transportation; authorizing certain of the agencies to promulgate certain legislative
4 rules with various modifications presented to and recommended by the Legislative Rule-
5 Making Review Committee; authorizing the Office of Administrative Hearings to
6 promulgate a legislative rule relating to appeal procedures; authorizing the Division of
7 Highways to promulgate a legislative rule relating to the state transportation infrastructure
8 fund program; and authorizing the Division of Public Transit to promulgate a legislative
9 rule relating to rail-fixed guideway systems state safety oversight.

Be it enacted by the Legislature of West Virginia:

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

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

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

1 The legislative rule filed in the State Register on July 31, 2015, authorized under the
2 authority of section four-a, article five-c, chapter seventeen-c of this code, modified by the Office
3 of Administrative Hearings to meet the objections of the Legislative Rule-Making Review
4 Committee and refiled in the State Register on November 5, 2015, relating to the Office of
5 Administrative Hearings (appeal procedures, 105 CSR 1), is authorized.

§64-8-2. Division of Highways.

6 The legislative rule filed in the State Register on July 31, 2015, authorized under the
7 authority of section five, article seventeen-b, chapter seventeen of this code, modified by the
8 Division of Highways to meet the objections of the Legislative Rule-Making Review Committee
9 and refiled in the State Register on September 30, 2015, relating to the Division of Highways
10 (state transportation infrastructure fund program, 157 CSR 11), is authorized.

§64-8-3. Division of Public Transit.

11 The legislative rule filed in the State Register on July 31, 2015, authorized under the
12 authority of section three, article sixteen-e, chapter seventeen of this code, modified by the
13 Division of Public Transit to meet the objections of the Legislative Rule-Making Review Committee
14 and refiled in the State Register on September 30, 2015, relating to the Division of Public Transit
15 (rail fixed guideway systems state safety oversight, 225 CSR 1), is authorized.