

WEST VIRGINIA LEGISLATURE

2017 REGULAR SESSION

Introduced

House Bill 2983

BY MR. SPEAKER (MR. ARMSTEAD) AND DELEGATES

AMBLER AND HANSHAW

[Introduced March 14, 2017; Referred
to the Committee on Roads and Transportation then
Finance]

1 A BILL to amend and reenact §17-3-6 of the Code of West Virginia, 1931, as amended, relating
 2 to requiring the Division of Highways to grant priority to roadway construction,
 3 reconstruction and maintenance for roadways prone to recurring floods that hinder ingress
 4 and egress to and from residential areas, schools and downtown districts, and that hinder
 5 access by emergency response vehicles.

Be it enacted by the Legislature of West Virginia:

1 That §17-3-6 of the Code of West Virginia, 1931, as amended, be amended and reenacted
 2 to read as follows:

ARTICLE 3. STATE ROAD FUND.

**§17-3-6. Apportionment of State Road Fund for construction and reconstruction purposes;
 reserve fund; budget request; appropriation of funds.**

1 On or before January 1, of each year the State Road Commissioner shall ascertain and
 2 determine the total amount of available funds for expenditure in the whole state for the
 3 construction and reconstruction of state roads for the succeeding fiscal year, and shall also submit
 4 such determination of available funds together with the proposed expenditure thereof as a part of
 5 his or her budget request for such succeeding fiscal year. Of the amount so ascertained the
 6 commissioner may set aside as a "reserve fund" not to exceed twenty percent thereof, to be used
 7 and expended by him or her in his or her discretion in making desirable connections or
 8 economizing in construction.

9 All moneys received from the federal government for road construction shall be expended
 10 as provided, or as may hereafter be provided by act of Congress.

11 If at the end of any annual period, any money in the reserve fund remains unexpended or
 12 unappropriated, it shall be placed in the General Fund for reserve and distribution during the next
 13 annual period.

14 The remaining eighty percent, or, if such reserve fund is not set aside, then all the funds
 15 shall be appropriated in the following order and preference: Provided, That within each order of

16 preference following special consideration shall be given to projects involving construction,
17 reconstruction or maintenance of roadways prone to recurring flooding which hinder ingress and
18 egress to and from residential areas, schools and downtown business districts, or that hinder
19 access by emergency response vehicles:

20 (1) For the construction, reconstruction, and maintenance of expressway and trunkline
21 roads, and to comply with the requirements for the receipt of aid from the federal government;

22 (2) For the maintenance of all feeder and state local service roads, as provided in section
23 six-a of this article; and

24 (3) For the construction and reconstruction of feeder and state local service roads as
25 prescribed in section six-a of this article.

NOTE: The purpose of this bill is to require the Division of Highways to grant priority to roadway construction, reconstruction and maintenance for roadways prone to recurring floods that hinder ingress and egress to and from residential areas, schools and downtown districts, and that hinder access by emergency response vehicles.

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