

WEST VIRGINIA LEGISLATURE

2017 REGULAR SESSION

Introduced

House Bill 2354

**FISCAL
NOTE**

BY DELEGATES STATLER, MAYNARD, UPSON, HILL,
KESSINGER, HIGGINBOTHAM, WARD AND WILLIAMS

[Introduced February 13, 2017;

Referred to Roads and Transportation then Finance.]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
 2 designated §17-2A-24, relating to requiring the Commissioner of Highways to develop a
 3 statewide communications plan known as the Comprehensive Public Involvement Plan;
 4 requiring that the plan utilize multimedia outlets to inform the public of known or anticipated
 5 disruptions in traffic patterns; requiring that the plan include a mechanism to receive and
 6 respond to communications from the public in a timely manner; requiring that the plan
 7 include a mechanism for collecting feedback from the public on the division’s response to
 8 public communications; requiring the division to employ a communications specialist in
 9 each maintenance district; and requiring the division to submit the plan to the Legislature
 10 for approval as a legislative rule.

Be it enacted by the Legislature of West Virginia:

1 That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new
 2 section, designated §17-2A-24, to read as follows:

ARTICLE 2A. WEST VIRGINIA COMMISSIONER OF HIGHWAYS.

§17-2A-24. Highways communications plan.

1 (a) Findings. -- The Legislature finds that:

2 (1) Widespread notice to the public of known or anticipated disruptions to traffic patterns
 3 would allow motorists to plan for conditions on the roads that may cause delays in travel or safety
 4 hazards;

5 (2) An improved procedure for collecting and promptly responding to communications from
 6 the public would allow the West Virginia Division of Highways to address concerns more efficiently
 7 and would promote greater public confidence in the agency; and

8 (3) Modern technology makes it possible for the West Virginia Division of Highways to
 9 announce traffic disruptions in advance and respond to communications from the public in a timely
 10 manner.

11 (b) Comprehensive Public Involvement Plan (PLAN). --

12 (1) On or before October 1, 2017, the commissioner is required to develop a
13 communications plan that will utilize multimedia outlets to communicate to the public any known
14 projects for the coming year and any public comment opportunities, including development of new
15 projects and transportation improvement programs; receive feedback from the public; and report
16 public feedback to the appropriate district supervisor. The program shall be referred to as the
17 “Comprehensive Public Involvement Plan.”

18 (2) The Comprehensive Public Involvement Plan must meet the following criteria:

19 (A) The plan must facilitate announcement, through multimedia outlets, of any known or
20 anticipated disruption to regular traffic patterns as soon as possible after the disruption is known
21 or anticipated by the division;

22 (B) The plan must enable members of the public to communicate information and
23 concerns to the department;

24 (C) The plan must include a procedure for the division to acknowledge, in a timely manner
25 and within two weeks whenever possible, the receipt of each communication from a member of
26 the public and to inform the member of the public of the division’s plans to address the information
27 or concern; and

28 (D) The plan must include a mechanism for collecting customer feedback from the public
29 and tracking the division’s performance in providing responses to the public.

30 (c) District communications specialists. --

31 (1) Effective July 1, 2017, the division must employ an individual in each maintenance
32 district to serve as the district’s communications specialist. The commissioner may hire an
33 individual to serve as a district communications specialist or may designate a division employee
34 to serve as a district communications specialist.

35 (2) A district communications specialist will have, at a minimum, the following duties:

36 (A) To facilitate the operation of the Comprehensive Public Improvement Plan at the
37 district and county level;

38 (B) To ensure that the Comprehensive Public Improvement Plan adequately serves the
39 local population in the specialist's district;

40 (C) To review and respond to all communications from the public regarding roads located
41 within the specialist's district; and

42 (D) To regularly report to the Director of Communications for the Division of Highways and
43 the appropriate district supervisor regarding the efficacy of the Comprehensive Public
44 Improvement Plan at the district and county level.

45 (d) Legislative Rule. --

46 During the regular legislative session of 2018, the commissioner must submit the
47 Comprehensive Public Involvement Plan to the Legislature for approval as a legislative rule, in
48 accordance with the requirements of article three, chapter twenty-nine-a of this code.

NOTE: The purpose of this bill is to require the Commissioner of Highways to develop a statewide communications plan known as the Comprehensive Public Involvement Plan; to require that the plan utilize multimedia outlets to inform the public of known or anticipated disruptions in traffic patterns; to require that the plan include a mechanism to receive and respond to communications from the public in a timely manner; to require that the plan include a mechanism for collecting feedback from the public on the division's response to public communications; to require that the division to employ a communications specialist in each maintenance district; and to require that the division submit the plan to the Legislature for approval as a legislative rule.

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