

SB184

# WEST VIRGINIA LEGISLATURE

## 2018 REGULAR SESSION

**Enrolled**

**Committee Substitute**

**for**

**Senate Bill 184**

OFFICE WEST VIRGINIA  
SECRETARY OF STATE

2018 FEB 27 P 4:19

FILED

SENATOR MAYNARD, *original sponsor*

[Passed February 16, 2018; in effect from passage]

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2018 JUL 17 10 41 19

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1 AN ACT to amend and reenact §64-8-1 of the Code of West Virginia, 1931, as amended, relating  
2 generally to authorizing and directing the Division of Highways to promulgate certain  
3 legislative rules as filed, as modified, and as amended, and repealing a rule; authorizing  
4 the Division of Highways to promulgate a legislative rule relating to the disposal, lease,  
5 and management of real property and appurtenant structures, and relocation assistance;  
6 directing the Division of Highways to promulgate a legislative rule relating to employment  
7 procedures; and repealing the Division of Highways legislative rule relating to waste tire  
8 remediation/environmental clean-up.

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

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

**§64-8-1. Division of Highways.**

1 (a) The legislative rule filed in the State Register on July 28, 2017, authorized under the  
2 authority of §17-2A-19 of this code, modified by the Division of Highways to meet the objections  
3 of the Legislative Rule-Making Review Committee and refiled in the State Register on December  
4 13, 2017, relating to the Division of Highways (disposal, lease, and management of real property  
5 and appurtenant structures and relocation assistance, 157 CSR 2), is authorized with the following  
6 amendments:

7 On page 7, subsection 8.1, after the word “conditions”, by adding “unless longer lease  
8 terms have been approved by the Commissioner for utility accommodation leases.”; and

9 On page 8, subsection 8.4, after the word “conditions”, by adding “unless longer lease  
10 terms have been approved by the Commissioner for utility accommodation leases.”

11 (b) The Legislature directs the Division of Highways, pursuant to the authority given to the  
12 division in §17-2A-24 of this code, to promulgate the legislative rule filed in the State Register by

13 the division on January 22, 2018, relating to the division (employment procedures, 157 CSR 12)  
14 with the following amendments:

15 On page 2, by striking out all of subsection 2.8;

16 And,

17 By renumbering the remaining subsections.

18 (c) The legislative rule effective on May 4, 2001, authorized under the authority of §17-23-  
19 2 of this code, relating to the Division of Highways (waste tire remediation/environmental clean-  
20 up, 157 CSR 8), is repealed.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

*[Signature]*  
.....  
Chairman, Senate Committee

*[Signature]*  
.....  
Chairman, House Committee

Originated in the Senate.

In effect from passage.

*[Signature]*  
.....  
Clerk of the Senate

*[Signature]*  
.....  
Clerk of the House of Delegates

*[Signature]*  
.....  
President of the Senate

*[Signature]*  
.....  
Speaker of the House of Delegates

OFFICE WEST VIRGINIA  
SECRETARY OF STATE

2018 FEB 27 10:20

FILED

The within *is approved* this the *27th*  
*February*  
Day of ....., 2018.

*[Signature]*  
.....  
Governor

PRESENTED TO THE GOVERNOR

FEB 21 2018

Time 4:15 pm