

WEST VIRGINIA LEGISLATURE

2021 REGULAR SESSION

Introduced

Senate Bill 510

FISCAL
NOTE

BY SENATORS MAYNARD AND STOLLINGS

[Introduced March 1, 2021; referred
to the Committee on Transportation and
Infrastructure; and then to the Committee on Finance]

1 A BILL to amend and reenact §8-12-20 of the Code of West Virginia, 1931, as amended, relating
2 to extending Adopt-A-Street programs to unimproved public roads; extending the concept
3 to authorize volunteer improvements to the roadway and road surface; empowering
4 nonprofit entities to administer any necessary roadwork improvements; and providing
5 provisions for disposal of solid waste left along the roadways.

Be it enacted by the Legislature of West Virginia:

**ARTICLE 12. GENERAL AND SPECIFIC POWERS, DUTIES, AND ALLIED
RELATIONS OF MUNICIPALITIES, GOVERNING BODIES AND MUNICIPAL
OFFICERS AND EMPLOYEES; SUITS AGAINST MUNICIPALITIES.**

**§8-12-20. Authorizing municipalities to enact Adopt-A-Street programs; maintenance of
unimproved public roadways.**

1 (a) In addition to all other powers and duties conferred by law upon municipalities,
2 municipalities are empowered to enact municipality Adopt-A-Street programs.

3 (b) The state Adopt-A-Highway Program was established in the late 1980s to improve the
4 quality of the state's environment by encouraging public involvement in the elimination of highway
5 litter. That program is cosponsored by the Division of Highways and the Department of
6 Environmental Protection, REAP Program. Its objective is to save taxpayer money by increasing
7 public awareness and to serve as an educational tool by focusing on the consequences of littering.
8 The program offers volunteers the opportunity to take charge of their own environment by making
9 a positive effort to create a cleaner, more aesthetic place in which to live.

10 In West Virginia, there are currently 25,000 volunteers who regularly pick up litter on 4,000
11 miles of highway. They have been responsible for removing more than 40 million pounds of litter
12 since the program began.

13 (c) As with the state program, individuals, families, churches, businesses, schools, civic
14 organizations, government agencies, scouting groups, fraternities, and communities may

15 participate in a municipality's Adopt-A-Street program. Anyone who is at least 12 years old may
16 participate. Any street or unimproved public roadway that is maintained by that municipality is
17 eligible for adoption, with the exception of interstates and streets deemed unsafe. Volunteers may
18 select a street or unimproved public roadway to adopt and then have it approved by the
19 municipality, or they may ask the municipality to suggest an adoptable street or unimproved public
20 roadway. Alleys, dirt roads, and streets off the beaten path, as well as major streets, may be
21 adopted. Adopted streets must be at least six blocks long.

22 (d) Adoptions are for a period of two years, during which time three cleanups are required
23 per year. As volunteers pick up litter, bags that have been filled are placed on street sides for
24 removal and disposal by the municipality. Garbage bags, safety vests, safety training, traffic
25 warning signs, and gloves shall be furnished by the municipality.

26 (e) Adopted streets or unimproved public roadways may be identified by a sign at each
27 end of the section bearing the Adopt-A-Street logo and the name of the adopting entity. Volunteers
28 who complete six required litter pickups within the two-year contract period are awarded a
29 certificate of accomplishment signed by the mayor of the municipality.

30 (f) For unimproved public roadways, non-profit entities shall administer roadwork
31 improvements or maintenance as needed. Such nonprofit entities may also coordinate with the
32 closest solid waste authority so that any tires, appliances, televisions, and trash may be properly
33 disposed of with the proper documentation.

NOTE: The purpose of this bill is to extend "Adopt a Street" programs to unimproved public roads, to authorize volunteer improvements to the roadway and road surface, to allow non-profit entities may also administer any roadwork improvements, and to provide for disposal of solid waste left along the roadways.

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