

WEST VIRGINIA LEGISLATURE

2022 REGULAR SESSION

Introduced

House Bill 4061

BY DELEGATES CRISS AND BOOTH

BY REQUEST OF THE DIVISION OF HIGHWAYS

[Introduced January 13, 2022; Referred to the
Committee on Technology and Infrastructure then
Government Organization]

1 A BILL to amend and reenact §17-2A-15 of the Code of West Virginia, 1931, as amended, relating
 2 to the Commissioner of the Division of Highways accepting ownership of equipment which
 3 has been rented or leased; and setting forth requirements.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2A. WEST VIRGINIA COMMISSIONER OF HIGHWAYS.

§17-2A-15. Other code provisions relating to purchasing not controlling; exceptions.

1 (a) The provisions of §5A-3-1 *et seq.* of this code shall not control or govern the purchase,
 2 acquisition or disposition of any equipment, materials, or supplies by the commissioner, except
 3 as provided in sections §17-2A-13 and §17-2A-14 of this code. The commissioner may, in his or
 4 her discretion, resort to applicable provisions of ~~said chapter five~~ a §5A-3-1 *et seq.* of this code
 5 and to rules, ~~regulations~~ and practices of the ~~director of purchases~~ Division of Purchasing in
 6 purchasing, acquiring, or disposing of equipment, supplies, and materials.

7 (b) The commissioner may accept ownership of equipment if:

8 (1) The equipment has been rented or leased and maintained by the division;

9 (2) The vendor voluntarily relinquishes ownership; and

10 (3) The equipment thus acquired will be included the division's inventory and the division's
 11 equipment and vehicle reports.

12 (c) The commissioner shall notify the director of the division of purchasing prior to
 13 termination of the rental or lease agreement and assumption of ownership of the equipment.

NOTE: The purpose of this bill is to allow the Division of Highways to accept ownership of equipment that has been rented or leased long term and the vendor wants to transfer ownership of the equipment.

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