

WEST VIRGINIA LEGISLATURE

2022 REGULAR SESSION

Committee Substitute

for

Senate Bill 609

BY SENATORS CLEMENTS AND JEFFRIES

[Originating in the Committee on Transportation and
Infrastructure; reported on February 16, 2022]

1 A BILL to amend and reenact §17-2A-15 of the Code of West Virginia, 1931, as amended, relating
2 to authorizing the Commissioner of Highways to accept ownership of equipment that was
3 rented or leased; and setting forth requirements related to acquiring and reporting
4 ownership of equipment.

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 §17-2A-13 and §17-2A-14 of this code. The commissioner may, in his or her
4 discretion, resort to applicable provisions of ~~said chapter five-A §5A-3-1 *et seq.* of this code~~ and
5 to rules, ~~regulations~~ and practices of the ~~director of purchases~~ Purchasing Division within the
6 Department of Administration in purchasing, acquiring, or disposing of equipment, supplies, and
7 materials.

8 (b) The commissioner may accept ownership of equipment if the equipment has been
9 rented or leased by the division, maintained by the division, and the equipment vendor voluntarily
10 relinquishes ownership of the equipment to the division. Any equipment acquired pursuant to this
11 subsection shall be included in the division's inventory and the division's equipment and vehicle
12 reports. Prior to any termination of a rental or lease agreement with an assumption of ownership
13 of equipment, the commissioner shall notify the Director of the Purchasing Division within the
14 Department of Administration.