

WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

Committee Substitute

for

House Bill 3214

By Delegates Capito, Riley, Williams, Young, Storch

and Jennings

[Introduced February 02, 2023; Referred to the

Committee on Technology and Infrastructure]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
2 designated §17-2A-25, relating to creation of the "Road Optimization and Assessment
3 Data (R.O.A.D.) Pilot Program"; legislative findings and purpose; Commissioner of
4 Highways to promulgate rules; and specifics to be contained in rules to determine how best
5 to maintain roads and highways.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2A. WEST VIRGINIA COMMISSIONER OF HIGHWAYS.

§17-2A-25. Road optimization and assessment data (R.O.A.D.) pilot program; legislative findings and purposes.

1 (a) The Legislature hereby finds and declares that:

2 (1) Properly maintained roads and highways are important to the economic and industrial
3 growth and development and well-being of the state and to the health, education, welfare, and
4 prosperity of its citizens;

5 (2) Roads and highways of the state that are not well maintained because of potholes,
6 patching, cracking, road shoulder issues, canopy brush, and drainage issues, do not contribute to
7 the health, education, welfare, and prosperity of its citizens of this state;

8 (3) Data is and has been collected by the West Virginia Division of Highways for purposes
9 of an overall assessment and evaluation of road maintenance;

10 (4) The purpose of this section is to create a pilot program to study alternative advanced
11 methods of assessing the conditions of the roads and highways and methods of financing road
12 and highway maintenance with respect to the issues stated in this section.

13 (b) The Legislature declares that a pilot program designated the "Road Optimization and
14 Assessment Data Road Pilot Program" is hereby created.

15 (c) The Commissioner of Highways shall implement a pilot program concerning the
16 collection of data and the overall assessment of the conditions of the paved roads and highways of

17 the state and the repairs and maintenance required to develop the pilot program. The pilot
18 program will:

19 (1) To the extent not already used, incorporate Machine Learning (ML) and Artificial
20 Intelligence (AI) to assess the roads, or any other advanced technologies.

21 (2) Include a combination of urban and rural roads, using Monongalia and Preston
22 Counties as the test areas for this program, with all paved roads in these counties being driven and
23 assessed in conjunction with the program.

24 (3) Use existing assessments in the pilot counties to begin to teach the program.

25 (4) Use GPS positioning and Geotagged positioning including high accuracy precision
26 GPS to indicate road geometry and curvature.

27 (5) Use Laser measuring systems (including video) that are capable of longitudinal
28 profiling, identifying and measuring cracks, pavement distress, including potholes, patching,
29 cracking, road shoulder issues, canopy brush, and drainage issues.

30 (6) Use videos of the roads allowing pavement distress for imagery as well as canopy
31 brush, drainage documentation and the use of a Reflectometer system to check the reflectivity of
32 painted lines.

33 (7) Utilize post data capture processing to create a baseline for road condition assessment
34 based on Division of Highways standards and the ASTM D6433-11 Standard Practice for Roads
35 and Parking Lots Pavement Condition Index Surveys.

36 (8) Provide for the data capturing and processing to be performed at intervals determined
37 by the Commissioner to adequately collect and assess the data for maintenance purposes:
38 Provided, That data capturing and processing shall occur at least twice during the pilot project.
39 The data shall also compare the changes in road conditions such as deterioration of roads from
40 previous condition, average daily traffic, and heavy truck traffic if such information is available.

41 The term of this pilot program shall be five years.

42 (9) Incorporate the additional data gathered within the Division of Highways' existing
43 pavement management system, or an alternative machine learning artificial intelligence system,
44 and such that it can improve predictive analysis of roads and highways, and guide in the
45 performance of preventive maintenance for the roads and highways, rather than reactive
46 maintenance.

47 (d) At the conclusion of year two, year four, and the termination of the pilot program, the
48 Division of Highways shall report to the Joint Legislative Oversight Commission on Department of
49 Transportation Accountability, which report will include identification of the technologies used and
50 any improvements in road maintenance and pavement management processes that may be
51 realized.

NOTE: The purpose of this bill is to create the "Road Optimization and Assessment Data (R.O.A.D.) Pilot Program" to collect data to best determine how to maintain roads and highways.

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