

WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

ENROLLED

House Bill 3473

BY DELEGATES LINVILLE AND MAYNOR

[Passed March 11, 2023; in effect July 1, 2023.]

1 AN ACT to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
2 designated §17-2E-10, relating to creating a taskforce on infrastructure deployment;
3 setting forth purpose; defining a term; specifying membership of the taskforce and topics
4 of study; requiring reporting; and providing sunset date.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2E. DIG ONCE POLICY.

§17-2E-10.Taskforce on infrastructure deployment clearinghouse; reporting; sunset date.

1 (a) There is hereby created a taskforce under the leadership of the Commissioner of the
2 Division of Highways, or his or her designee, for the purpose of studying best practices for the
3 creation of a clearinghouse with information on public rights-of-way, including environmental and
4 historic preservation content, that may reduce regulatory hurdles, lower costs, and increase the
5 speed of infrastructure deployment. The purpose of the clearinghouse is to provide information
6 relevant to infrastructure deployment, such as identifying public rights-of-way that may be readily
7 accessed. For purposes of this section, “infrastructure deployment” means the deployment of
8 underground infrastructure in public rights-of-way in West Virginia.

9 (b) The taskforce shall consist of the following:

10 (1) The Commissioner of the Division of Highways, or his or her designee;

11 (2) The Director of the Division of Environmental Protection, or his or her designee;

12 (3) The director of the historic preservation section of the Department of Arts, Culture, and
13 History, or his or her designee;

14 (4) Any designee as may be selected by Miss Utility of West Virginia; and

15 (5) Any designees as may be selected by the Legislative Oversight Commission on
16 Department of Transportation Accountability.

17 (c) The infrastructure deployment clearinghouse taskforce shall examine and report on the
18 following:

19 (1) Regulatory hurdles affecting infrastructure deployment;

20 (2) The availability of information that may reduce regulatory hurdles;

21 (3) Information available, including environmental factors, historically-significant sites, and
22 previously-disturbed ground as relevant to infrastructure deployment;

23 (4) Recommendations on ways to create a clearinghouse that contains information
24 relevant to reduce regulatory hurdles, lower costs, and accelerate infrastructure deployment;

25 (5) Recommendations on restrictions that may be needed concerning access to
26 clearinghouse information; and

27 (6) Other information and recommendations the taskforce deems important to create the
28 clearinghouse and improve infrastructure deployment.

29 (d) The taskforce shall report and make recommendations to the Legislative Oversight
30 Commission on Department of Transportation Accountability, including:

31 (1) Status updates upon request; and

32 (2) Written recommendations, including any proposed legislation, by December 31, 2023.

33 (e) The provisions of this section sunset and cease to have effect after March 31, 2024.

The Clerk of the House of Delegates and the Clerk of the Senate hereby certify that the foregoing bill is correctly enrolled.

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Clerk of the House of Delegates

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Clerk of the Senate

Originated in the House of Delegates.

In effect July 1, 2023.

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Speaker of the House of Delegates

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President of the Senate

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Day of, 2023.

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Governor