

# WEST VIRGINIA LEGISLATURE

## 2026 REGULAR SESSION

Introduced

### House Bill 5161

FISCAL  
NOTE

By Delegates Holstein, Horst, Vance, Mallow, and

Moore

[Introduced February 04, 2026; referred to the

Committee on Energy and Public Works]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new article,  
 2 designated §17-31-1, §17-31-2, §17-31-3, §17-31-4, §17-31-5, §17-31-6, §17-31-7, §17-  
 3 31-8, §17-31-9, §17-31-10, and §17-31-11, relating to the creation of the West Virginia  
 4 Rural Mobility and Transportation Access Act; providing a short title, legislative findings  
 5 and purpose; definitions; policy on rural transportation; creating the rural mobility grant and  
 6 innovation program; and providing for funding sources and use of sources; participation in  
 7 the program; reporting and accountability; and rulemaking authority.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 31. WEST VIRGINIA RURAL MOBILITY AND TRANSPORTATION ACCESS**

**ACT.**

**§17-31-1. Short title.**

1 This Article shall be known and may be cited as the "West Virginia Rural Mobility and  
 2 Transportation Access Act".

**§17-31-2. Legislative Findings and Purpose**

1 The Legislature finds that:

2 (1) Large portions of the State of West Virginia are rural, geographically isolated, and  
 3 distant from incorporated municipalities;

4 (2) Reliable transportation is essential for access to employment, health care, education,  
 5 food, and essential government services;

6 (3) Traditional fixed-route public transportation is often cost-prohibitive and inefficient in  
 7 low-density rural areas;

8 (4) Federal law provides substantial funding opportunities for rural transportation through  
 9 programs including, but not limited to, the Federal Transit Administration Rural Areas Formula  
 10 Program (49 U.S.C. §5311);

11 (5) Other rural states have successfully expanded transportation access through grant  
12 programs, public-private partnerships, demand-response services, and mobility management,  
13 without direct government operation of transportation services.

14 The purpose of this article is to expand access to transportation in rural areas of West  
15 Virginia by maximizing federal funding, encouraging private, nonprofit, and local participation,  
16 supporting innovative transportation models, and coordinating existing resources, without the  
17 State owning or operating transportation systems.

**§17-31-3. Definitions.**

1 For purposes of this article:

2 "Rural area" means any area outside an urbanized area with a population of 50,000 or  
3 more, consistent with federal transit definitions.

4 "Eligible provider" means a county or municipal government, regional planning council,  
5 council of government, nonprofit organization, private transportation provider, or human service  
6 agency.

7 "Demand-response service" means transportation service provided in response to  
8 individual requests, including on-demand, deviated fixed-route, or reservation-based services.

9 "Micro transit" means a technology-enabled, shared transportation service that operates  
10 on a flexible route or schedule based on rider demand.

11 "Mobility management" means coordination, planning, scheduling, and information  
12 services that optimize the use of public, private, and nonprofit transportation resources.

**§17-31-4. State Policy on Rural Transportation.**

1 It is the policy of the State of West Virginia to:

2 (1) Support and expand transportation access in rural areas;

3 (2) Prioritize the use of federal and private funds for rural mobility;

4 (3) Encourage innovation and flexibility in transportation service delivery;

- 5 (4) Promote coordination among transportation, health, workforce, and human service
- 6 providers; and
- 7 (5) Refrain from direct operation of public transportation services by the State.

**§17-31-5. Creation of the Rural Mobility Grant and Innovation Program.**

1 (a) There is hereby established and created the Rural Mobility Grant and Innovation  
2 Program, to be administered by the Division of Highways or such other agency as designated by  
3 the Governor.

4 (b) Funding Sources.

5 The Program may consist of:

- 6 (1) Federal funds, including but not limited to FTA Section 5311 funds;
- 7 (2) State appropriations;
- 8 (3) Local matching funds;
- 9 (4) Private grants or donations.

10 (c) Authorized Uses.

11 Funds awarded under this Program may be used for:

- 12 (1) Operating assistance for eligible providers;
- 13 (2) Capital expenses including vehicles, technology, and passenger facilities;
- 14 (3) Demand-response and micro transit pilot programs;
- 15 (4) Mobility management, dispatch, scheduling, and trip-planning services;
- 16 (5) Workforce, senior, and medical transportation initiatives;
- 17 (6) Abandoned buildings demolition and cleanup when directly related to establishing
- 18 transportation facilities or passenger access points.

**§17-31-6. Grant Awards and Administration.**

1 (a) Competitive Grants.

2 The administering agency shall award funds through a competitive grant process  
3 prioritizing:

- 4           (1) Counties with limited or no existing transportation service;
- 5           (2) Projects that leverage private or nonprofit providers;
- 6           (3) Cost-effective and innovative service models;
- 7           (4) Coordination among multiple service providers.

- 8           (1) Coordinate transportation services across providers;
- 9           (2) Develop centralized trip-planning systems;
- 10          (3) Reduce duplication of services;
- 11          (4) Improve service reliability and coverage.

12          (b) Contracts Not Operation.

13          The State shall distribute funds through grants or contracts and shall not own vehicles,  
14 employ drivers, or directly operate transportation services.

15          (c) Matching Requirements.

16          The administering agency may reduce or waive local matching requirements for high-need  
17 or economically distressed counties.

**§17-31-7.           Demand-Response           and           Micro           transit           Authorization.**

1           Eligible providers are expressly authorized to operate or contract for demand-response  
2 and micro transit services using funds awarded under this Act, including partnerships with private  
3 transportation network companies, provided such services comply with applicable safety and  
4 insurance laws.

**§17-31-8.           Mobility           Management           and           Coordination.**

1           (a) Mobility Managers.

2           The administering agency may fund regional mobility managers to:

- 3           (1) Coordinate transportation services across providers;
- 4           (2) Develop centralized trip-planning systems;
- 5           (3) Reduce duplication of services;
- 6           (4) Improve service reliability and coverage.

7 (b) Interagency Coordination.

8 State agencies administering health, workforce, aging, and human services programs  
9 shall cooperate with mobility management efforts to maximize transportation efficiency.

**§17-31-9. Rural Transportation Planning and Public Input.**

1 (a) Rural Transportation Planning Councils.

2 The administering agency may establish or recognize rural transportation planning  
3 councils to identify local needs and priorities.

4 (b) Public Participation.

5 Grant applicants shall demonstrate meaningful public input from residents and  
6 stakeholders within the service area.

**§17-31-10. Reporting and Accountability.**

1 The administering agency shall submit an annual report to the Legislature detailing:

2 (1) Funds awarded and sources;

3 (2) Services provided and areas served;

4 (3) Ridership and performance outcomes;

5 (4) Recommendations for program improvements.

**§17-31-11. Rulemaking Authority.**

1 The administering agency may promulgate legislative rules necessary to implement this  
2 article, consistent with the provisions herein.

NOTE: The purpose of this bill is to create the West Virginia Rural Mobility and Transportation Access Act to expand access to transportation in rural areas of West Virginia by maximizing federal funding, encouraging private, nonprofit, and local participation, supporting innovative transportation models, and coordinating existing resources, without the State owning or operating transportation systems.

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