



West Virginia Senate

Committee on Transportation and Infrastructure

Minutes for March 04, 2024, 1:05 PM

Pursuant to the call of the Chair, the Senate Committee on Transportation and Infrastructure met on March 4, 2024, 1:05 PM in Room 451-M.

Members present: Senators Clements, Stuart, Barrett, Hunt, Jeffries, Karnes, Oliverio, Phillips, Roberts, Swope

Members absent: Senators Plymale

A silent roll call being taken, the presence of a quorum was established.

On motion of Vice Chair Stuart, the minutes of the previous meeting were approved.

Eng. Com. Sub. for H. B. 5338 - Relating to Safe Harbor for Cybersecurity Programs.

Chair Clements informed the members that this bill was assigned to the committee by mistake. Vice Chair Stuart moved the bill be reported to the full Senate, without recommendation, but under the original double committee reference, first be referred to the committee on Finance. Upon voice vote, the motion was adopted.

Eng. Com. Sub. for H. B. 5595 - Relating to shortened procedure for road condition claims.

Chair Clements recognized counsel, Marey Casey, to explain the bill in lieu of having it read. Counsel explained and answered questions from the committee. With leave of the committee, Chair Clements recognized Janet Kawash, Clerk of the West Virginia Legislative Claims Commission, to answer questions from the committee. Discussion followed. Senator Oliverio voiced his support for the legislation. Vice Chair Stuart moved the bill be reported, with the recommendation that it do pass, but under the original double committee reference, first be referred to the committee on Finance. Upon voice vote, the motion was adopted.

Eng. Com. Sub. for H. B. 4722 - Create a credit against the severance tax to encourage private companies to make infrastructure improvements to highways, roads and bridges in this state.

Chair Clements recognized counsel, Marey Casey, to explain the bill in lieu of having it read. Counsel explained and answered questions from the committee. With leave of the committee, Chair Clements recognized Mark Muchow, Deputy Secretary, WV Department of Revenue. Mr. Muchow answered questions from the committee. With leave of the committee, Chair Clements recognized Chris Hamilton, representing the Coal Association. Mr. Hamilton spoke to the bill and answered questions from the committee. Senator Stuart offered a conceptual amendment, after yielding to Senator Hunt, to amend the provisions of the bill as introduced back into this bill.

Committee Counsel, Marey Casey, clarified the amendment with Senator Stuart. Upon voice vote, the amendment was adopted. Vice Chair Stuart moved the bill, be reported to the full Senate, with the recommendation that it do pass, as amended, but under the original double committee reference, first be referred to the committee on Finance. Upon voice vote, the motion was adopted.

Eng. H. B. 4434 - Relating to restrictions on use or sale of motor vehicles based on power source.

Chair Clements recognized counsel, Marey Casey, to explain the bill and the proposed amendments in lieu of having them read. Counsel explained and answered a question from the Chair. Vice Chair Stuart moved the strike and insert amendment as explained by counsel. Upon voice vote, the motion was adopted. Vice Chair Stuart moved the bill be reported with the recommendation that it do pass, as amended, but under the original double committee reference, first be reported to the committee on Government Organization. Upon voice vote, the motion was adopted. Vice Chair Stuart moved the title amendment. Upon voice vote, that motion was adopted.

Eng. H. B. 5305 - Relating to impaired driving not eligible for deferred adjudication.

Chair Clements recognized counsel, Marey Casey, to explain the bill in lieu of having it read. Counsel explained. Vice Chair Stuart moved the bill be reported with the recommendation that it do pass, but under the original double committee reference, first be referred to the committee on the Judiciary. Upon voice vote, the motion was adopted.

Eng. Com. Sub. for H. B. 4258 - To require railroad companies to provide alternative entry and exit ways.

Chair Clements recognized counsel, Marey Casey, to explain the bill in lieu of having it read. Counsel explained and answered questions from the committee. With leave of the committee, Chair Clements recognized Nate Tawney, General Counsel for the Department of Transportation. Mr. Tawney answered questions from the committee. Vice Chair Stuart moved the bill be reported with the recommendation that it do pass, but under the original double committee reference, first be referred to the committee on Government Organization. Upon voice vote, the motion was adopted.

Eng. Com. Sub. for H. B. 4885 - Relating to blocking roadways.

Chair Clements recognized counsel, Marey Casey, to explain the bill in lieu of having it read. Counsel explained. Vice Chair Stuart moved the bill be reported with the recommendation that it do pass, but under the original double committee reference, first be referred to the committee on the Judiciary. Upon voice vote the motion was adopted.

Eng. Com. Sub. H. B. 5083 - Create mechanism for towing companies in WV to quickly access owner information.

Chair Clements recognized counsel, Marey Casey, to explain the bill and the proposed amendments in lieu of having them read. Counsel explained and answered a question from the Chair. Vice Chair Stuart moved the strike and insert amendment as explained by counsel. Upon voice vote, the motion was adopted. Vice Chair Stuart moved the bill be reported with the recommendation that it do pass, as amended, but under the original double committee

reference, first be reported to the committee on Finance. Upon voice vote, the motion was adopted. Vice Chair Stuart moved the title amendment, as explained by counsel. Upon voice vote, that motion was adopted.

On Motion of Senator Stuart the committee adjourned.



Charles H. Clements

Chair



Tina L. Burs

Clerk