WEST VIRGINIA CODE: §14-2-17A

§14-2-17a. Shortened procedure for road condition claims.

(a) Notwithstanding the regular and shortened procedures provided for in §14-2-16 and §14-2-17 of this code, there shall be a shortened procedure for road condition claims. The shortened procedure authorized by this section shall apply only to a claim possessing all of the following characteristics:

(1) The claim does not arise under an appropriation for the current fiscal year.

(2) The claim alleges that a condition on the state's highways or roads caused property damage.

(3) The Division of Highways concurs in the claim and informs the clerk that it will stipulate to the entire amount of the claims or to a specific amount of the claim.

(4) The stipulated amount claimed does not exceed $3,000.

(b) The clerk shall prepare a stipulation concerning the claim to be approved by the commission. When approved by the commission the clerk shall mail a release to the claimant and inform the claimant that once the release is signed and returned to the commission, the clerk will notify the Division of Highways that the executed release has been received. Upon receipt from the clerk of confirmation that an executed release has been received from the claimant, the Division of Highways shall certify each approved claim and award, and requisition relating thereto, to the State Auditor. The State Auditor thereupon shall issue his or her warrant to the Treasurer in favor of the claimant. The State Auditor shall issue his or her warrant without further examination or review of the claim except for the question of a sufficient unexpended balance in the appropriation.

WV Legislature