WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1939

ENROLLED

HOUSE BILL No. 940

(By Mr. Taylor)

PASSED March 4, 1939

In Effect from Passage
ENROLLED
House Bill No. 240
(By Mr. Taylor)

[Passed March 4, 1939; in effect from passage.]

AN ACT to amend article four, chapter seventeen of the code of West Virginia, one thousand nine hundred thirty-one, as amended by chapter forty, acts of the Legislature of West Virginia, first extraordinary session, one thousand nine hundred thirty-three, and chapter seventy-eight, acts of the Legislature of West Virginia, regular session, one thousand nine hundred thirty-seven, by adding four new sections to be numbered twenty-one, twenty-two, twenty-three and twenty-four, relating to the designation, construction, maintenance and improvement of freeways.

Be it enacted by the Legislature of West Virginia:

That article four, chapter seventeen of the code of West Virginia, one thousand nine hundred thirty-one, as amended by chapter forty, acts of the Legislature of West Virginia, first extraordinary session,
one thousand nine hundred thirty-three, and chapter seventy-eight, acts of the Legislature of West Virginia, regular session, one thousand nine hundred thirty-seven, be amended by adding sections twenty-one, twenty-two, twenty-three and twenty-four, to read as follows:

Section 21. Freeways. A freeway is a highway especially designed for through traffic, over which abutters have no easement or right of light, air or access to by reason of the fact that their property abuts upon such way.

Sec. 22. Powers of State Road Commissioner Over Freeways. The state road commissioner shall have full power and authority to plan, designate, establish, acquire, open, construct, reconstruct, improve, maintain, discontinue and regulate the use of freeways within this state in the same manner in which the state road commissioner is now or may be authorized to plan, designate, establish, acquire, open, construct, reconstruct, improve, maintain, discontinue, and regulate the use of highways within this state. The state road commissioner shall also have any and all other additional authority and power relative to such freeways as is vested in him relative to highways, which shall include the authority
and power to acquire by purchase, eminent domain, grant or dedication, title to such lands or rights-of-way necessary for said freeways.

Sec. 23. Designation of Existing Highway as a Freeway. The state road commissioner may designate an existing highway as or included within a freeway, and existing easements of access, light or air may be extinguished by purchase, eminent domain or grant, in accordance with the methods of obtaining rights-of-way for highway purposes.

Sec. 24. Regulation of Traffic on Freeways. The state road commissioner is authorized and empowered to regulate and restrict access to any freeway established under the provisions of the preceding sections, from any existing highway, road, street or abutting property owner in such manner as he is authorized to regulate and restrict traffic upon highways, and access to any such freeway from any new highway, road or street shall be established by and with the consent of the state road commissioner.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the House of Delegates

Takes effect from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within approved this the 13th day of March, 1939.

Governor

Filed in the office of the Secretary of State of West Virginia, MAR 14, 1939.

Wm. S. O'Brien,
Secretary of State