

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1939



ENROLLED

HOUSE BILL No. 363

(By Mr. Taylor)



PASSED March 11 1939

In Effect from Passage

ENROLLED
House Bill No. 363

(BY MR. TAYLOR)

[Passed March 11, 1939; in effect from passage.]

AN ACT to amend and reenact section twenty-two, article seventeen, chapter seventeen of the code of West Virginia, one thousand nine hundred thirty-one, as amended by chapter forty-four, acts of the Legislature of West Virginia, one thousand nine hundred thirty-one, relating to tolls to be charged on state toll bridges generally, on intrastate and interstate bridges, acquisition of existing bridges, bridge revenue bonds, and disposition of tolls.

Be it enacted by the Legislature of West Virginia:

That section twenty-two, article seventeen, chapter seventeen of the code of West Virginia, one thousand nine hundred thirty-one, as amended by chapter forty-four, acts of the Legislature of West Virginia, one thousand nine hundred thirty-one, be amended and reenacted to read as follows:

Article 17. Toll Bridges.

Section 22. *Same; Tolls to Be Charged; Intrastate and*
2 *Interstate Bridges; Purchase of Existing Bridges; Disposi-*
3 *tion of Tolls.* Tolls shall be fixed, charged and collected for
4 transit over such bridges and shall be so fixed and adjusted,
5 in respect of the aggregate of tolls from the bridge or bridges
6 for which a single issue of bonds is issued, as to provide a
7 fund sufficient to pay the principal and interest of such
8 issue of bonds and to provide an additional fund to pay the
9 cost of maintaining, repairing and operating such bridge or
10 bridges, subject, however, to any applicable law or regulation
11 of the United States of America now in force or hereafter to
12 be enacted or made. Two or more bridges may be included in
13 one issue of bonds, and intrastate and interstate bridges may
14 be grouped in the same issue: *Provided,* That no existing
15 bridge or bridges shall be acquired by purchase, eminent
16 domain, or otherwise, unless the state road commissioner shall
17 have determined, that the income therefrom, based upon the
18 toll receipts for the next preceding fiscal or calendar year,
19 will be sufficient to pay all expenses of operating and main-
20 taining such bridge, in addition to the interest and sinking
21 fund requirements of the bonds to be issued to pay the pur-

22 chase price thereof. The tolls from the bridge or bridges for
23 which a single issue of bonds is issued, except such part
24 thereof as may be necessary to pay such cost of maintaining,
25 repairing and operating during any period in which such
26 cost is not otherwise provided for (during which period the
27 tolls may be reduced accordingly), shall be transmitted each
28 month to the state sinking fund commission and by it placed
29 in a special fund which is hereby pledged to and charged with
30 the payment of the principal of such bonds and the interest
31 thereon, and to the redemption or repurchase of such bonds,
32 such special fund to be a fund for all such bonds without dis-
33 tinction or priority of one over another. The moneys in such
34 special fund, less a reserve for payment of interest, if not
35 used by the sinking fund commission within a reasonable time
36 for the purchase of bonds for cancellation at a price not ex-
37 ceeding the market price and not exceeding the redemption
38 price, shall be applied to the redemption of bonds by lot at
39 at the redemption price then applicable.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

E. D. Wiseman

Chairman Senate Committee

Dee B. Walter

Chairman House Committee

Originated in the *House of Delegates*

Takes effect *from* passage.

Phineas B. Finley

Clerk of the Senate

Wm. S. Hall

Clerk of the House of Delegates

Wm. S. Hall

President of the Senate

James L. Thomas

Speaker House of Delegates

The within *approved* this the *16th*

day of *March*, 1933.

Wm. S. Hall

Governor.



Filed in the office of the Secretary of State of West Virginia **MAR 17 1933**

Wm. S. O'BRIEN, Secretary of State