

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1951



ENROLLED

HOUSE BILL No. 193

(By Mr. Davis)



PASSED February 15, 1951

In Effect Forty days from Passage



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ENROLLED
House Bill No. 193

(By MR. DAVIS)

[Passed February 15, 1951; in effect ninety days from passage.]

AN ACT to amend and reenact section nine, article two-a, chapter seventeen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new subsection to be known as subsection nineteen, giving to the state road commission authority to acquire, establish, construct and maintain roadside recreational areas.

Be it enacted by the Legislature of West Virginia:

That section nine, article two-a, chapter seventeen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended to read as follows:

Section 9. *Additional Sole Powers of Commissioner.*—

- 2 The commissioner, in addition to the other powers
- 3 granted by this chapter shall have the sole authority to:
- 4 (1) Exercise general supervision over the state road

- 5 program and the construction and maintenance of the
6 state roads;
- 7 (2) Make rules and regulations for the government
8 of his department;
- 9 (3) Sign and execute, in the name of "The State Road
10 Commission" any contract or agreement with the fed-
11 eral government or its departments, subdivisions of the
12 State, corporations, associations, copartnerships and in-
13 dividuals;
- 14 (4) Supervise the fiscal affairs and responsibilities of
15 the department;
- 16 (5) Make a general road or highway plan of the state
17 and compile and publish information relative to mileage,
18 character and condition of the roads;
- 19 (6) Determine the various methods of road construc-
20 tion best adapted to the various sections ~~of~~ the state and
21 establish standards for the construction and mainten-
22 ance of roads and highways;
- 23 (7) Conduct investigations and experiments, hold
24 public meetings and attend meetings and conventions

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25 inside or outside of the state as may, in his judgment,
26 tend to promote better highway construction;

27 (8) Cooperate with state and national organizations
28 in experiments and work for the advancement of high-
29 way construction;

30 (9) Enter private lands to make surveys and inspec-
31 tions for road purposes;

32 (10) Acquire land necessary for roads and road main-
33 tenance;

34 (11) Procure photostatic copies of any or all public rec-
35 ords on file at the state capitol of Virginia which the
36 commissioner may deem necessary or proper in ascer-
37 taining the location of rights-of-way of public roads lo-
38 cated or established in what is now the state of West
39 Virginia. A copy of such photostatic copies so made,
40 when certified by the commissioner, may be admitted as
41 evidence in lieu of the original in any of the courts in
42 this state;

43 (12) Administer the motor vehicle law of this state as
44 provided for in section twelve, article two-a, chapter
45 seventeen of this code;

46 (13) Keep a complete and accurate record of all pro-
47 ceedings, record and file all bonds and contracts taken
48 or entered into, and assume responsibility for the custody
49 and preservation of all papers and documents pertaining
50 to his office. Rules and regulations shall be recorded in
51 a book especially kept for that purpose, and may be in
52 his discretion published for general circulation. All other
53 records and entries necessary to show the official con-
54 duct of the department shall be preserved and shall be
55 public records and open for inspection during business
56 hours;

57 (14) Purchase as provided by law all equipment nec-
58 essary to the conduct of his department. Dispose of any
59 equipment either by public or private sale when such
60 equipment can no longer be used to advantage. The pro-
61 ceeds of such sale shall be paid to the state treasurer and
62 credited to the state road fund;

63 (15) Conduct hearings as provided by this chapter;

64 (16) Report to the governor each year all information
65 relative to the operation of the department and the con-
66 struction and maintenance of the state roads. Make such

67 other reports and recommendations as may be required
68 by the governor or which in his judgment would be bene-
69 ficial to the general public; and

70 (17) Exercise any other power that may be necessary
71 or proper for the orderly conduct of his business and the
72 effective discharge of his duties. Invoke any legal or
73 equitable remedies for the enforcement of his orders or
74 the provisions of this department.

75 (18) As a member of the West Virginia board of
76 aeronautics, exercise general supervision of construction
77 and maintenance of such airports and landing fields as
78 are under the jurisdiction of said board, and make a study
79 and general plan of a statewide system of airports and
80 landing fields.

81 (19) Acquire, establish, construct, maintain and op-
82 erate adjacent to state highways roadside recreational
83 areas.

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

A. R. Weathers

Chairman Senate Committee

James W. Loop

Chairman House Committee

Originated in the House of Delegates

Takes effect thirty days from passage.

Thomas Myers

Clerk of the Senate

J. R. Quinn

Clerk of the House of Delegates

Joseph H. Rainey

President of the Senate

W. E. Fanning

Speaker House of Delegates

The within APPROVED this the 22nd

day of FEBRUARY, 1951.

Clay L. Patton

Governor



of West Virginia **FEB 22 1951**

D. PITT O'BRIEN,

SECRETARY OF STATE