

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1951



ENROLLED

HOUSE BILL No. 250

(By Mr. Maloney)



PASSED March 9, 1951

In Effect 90 days from Passage



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House Bill No. 250
(By MR. MALONEY)

[Passed March 9, 1951; in effect ninety days from passage.]

AN ACT to establish the Crozet Superhighway across West Virginia, and to authorize the West Virginia turnpike commission to secure the preliminary surveys, and the advance engineering to determine the practicality and exact location of a proposed east-west turnpike, said proposed turnpike to be the West Virginia part of the proposed federal Crozet Superhighway.

WHEREAS, A bill has been introduced before the Congress of the United States proposing the construction of the transcontinental Crozet Superhighway, to extend, in part, over improved United States highway numbered three hundred forty to Harpers Ferry, West Virginia (or, as an alternate route from Baltimore to Harpers Ferry, over United States highway numbered one to Washington, District of Columbia; thence over United States highway numbered fifty to the West Virginia Superhighway, a toll road);

Thence via Elkins and Charleston to Huntington, West Virginia, on the Ohio River, to further the national defense, to improve the facilities for transcontinental motor transportation, and to promote the public safety; and

WHEREAS, The federal bill provides,

Sec. 10. The States through which the Crozet Superhighway passes may use their present highways, if adequate; otherwise such States may build adequate freeways or superhighways, using State funds, under State toll-road laws where such laws are in existence.

Sec. 11. The Commission shall not construct any section of the Crozet Superhighway unless the State through which it passes refuses to construct such section, or does not have the funds to construct such section, or does not have a suitable toll-road law under which it can construct such section.

Sec. 12. So far as practicable, each of the newly constructed sections or relocated sections of the Crozet Superhighway shall be constructed on a right-of-way approximately four hundred and fifty feet in width, making a four-lane divided highway with ample parking space for each division of dual lane. At intervals near intersections, the right-of-way may be widened

to three thousand feet or more if necessary to provide space for service centers, which shall consist of gasoline service stations, repair shops, restaurants, tourist camps, and other recreational and service facilities. Such right-of-way shall be made to conform to the already established toll or freeways where they are used, regardless of their present width, which may be increased if necessary.

Sec. 13. In the event that it is necessary for the Commission to construct any section of the Crozet Superhighway, the Commission, is hereby authorized to provide for the cost of such construction by selling revenue bonds without recourse against the Federal Government. The Commission is authorized to levy and collect toll charges from any section which it builds. Such toll charges shall be fixed by the Commission at a rate which, together with income derived by the Commission from other sources, will provide income sufficient to (1) pay all expenses incident to the operation and maintenance of the superhighway system it builds, (2) pay all interest on the revenue bonds of the Commission for the cost of the construction of such section, and (3) contribute to the reserve fund to enable the Commission to retire its bonds on or before maturity. This

provision may be invoked by the Commission only where a State through which the Crozet Superhighway passes does not establish a Turnpike Commission to perform such construction.

Sec. 14. All contracts for the construction of the Crozet Superhighway and the facilities appurtenant thereto, and for the operation of private businesses at the service centers, shall be awarded by the Commission on a competitive basis, except in the case of purchases under five hundred dollars.

Sec. 15. Any toll road constructed by the Commission shall revert to the State through which it passes when it has been completely paid for and the State has indicated its willingness to take over, maintain, and operate it.

Sec. 16. The Government of the United States hereby reserves the right in case of war or national emergency declared by Congress to take possession of all or any part of the superhighway system built under this Act for the purpose of transporting troops, military supplies, equipment, and implements of war, but if this right is exercised by the United States it shall pay fair and reasonable compensation for damage suffered by any person who is injured thereby.

Sec. 17. It is the purpose of this Act to encourage the develop-

ment of a transcontinental superhighway to be designated by a route number and known as the Crozet Superhighway. No Federal funds shall be expended under this Act except in the form of direct grants to offset the benefit to the national defense. The Federal Government, through the Commission with the assistance of the Bureau of Public Roads, shall supervise the construction of any section of the Crozet Superhighway where the State through which it passes does not have a proper toll-road law or will not perform such construction. The Commission shall provide for the cost of any section built by it by the sale of revenue bonds without recourse or liability against the Federal Government; and

WHEREAS, West Virginia should rightfully bear its share of expense of the proposed Crozet Superhighway; and

WHEREAS, A major east-west highway has long been needed in this State along the proposed route hereinabove described; therefore,

Be it enacted by the Legislature of West Virginia:

Section 1. *Crozet Superhighway Established.*—There is
2 hereby established the Crozet Superhighway, to extend
3 across the state on existing or proposed routes, as the

4 state road commission may designate, from near the town
5 of Harpers Ferry on the east passing near Elkins, Sutton
6 and Charleston to near Huntington on the west, such
7 superhighway to become a part of the transcontinental
8 Crozet Superhighway if and when established by
9 congress.

Sec. 2. *West Virginia Turnpike Commission Author-*
2 *ized to Secure Preliminary Work on West Virginia Sec-*
3 *tion of Proposed Crozet Superhighway.*—The West Vir-
4 ginia turnpike commission is hereby authorized to expend
5 such of its funds as may be necessary to obtain the pre-
6 liminary surveys and advance engineering which shall
7 determine the practicality of constructing, as part of the
8 proposed transcontinental Crozet Superhighway, a four
9 lane divided highway along the West Virginia sections of
10 the route and according to the general specifications de-
11 scribed in the recitals hereinabove, either as a toll road or
12 as a freeway, as may in the course of events seem advis-
13 able, and which shall determine the exact suitable loca-
14 tion of said highway if it be deemed practical to construct.

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

Robert C. Byrd
Chairman Senate Committee

James W. Loep
Chairman House Committee

Originated in the House of Delegates

Takes effect ninety days from passage.

Howard Meyer
Clerk of the Senate

J. R. Clipp
Clerk of the House of Delegates

Franklin D. Hunter
President of the Senate

W. E. Ransom
Speaker House of Delegates

The within approved this the 16th
day of March, 1951.

Clay L. Patton
Governor



FILED IN THE OFFICE OF THE SECRETARY OF STATE
of West Virginia
MAR 16 1951
D. PITT O'BRIEN,
SECRETARY OF STATE