ENROLLED

HOUSE BILL No. 153

(By Mr. ...)

PASSED February 4, 1955

In Effect Passage
AN ACT to amend and reenact section thirty, article seventeen, chapter seventeen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the construction, reconstruction, maintenance and operation of toll bridges and tunnels by cities and counties.

Be it enacted by the Legislature of West Virginia:

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

Section 30. Construction, Reconstruction and Operation of Toll Bridges or Tunnels by Counties and Cities; Borrowing Money for This Purpose; Consent of Federal Government and State Road Commission.—Any incorporated city, in which or adjoining which there is a portion of a navigable or non-navigable river or stream, either wholly
within the state of West Virginia, or partly within the
said state, and another state or states, or between the state
of West Virginia and any other state, including the Ohio
river in this state, from its intersection with the Penn-
sylvania state line, to the mouth of the Big Sandy river,
is hereby authorized and empowered, in its corporate ca-
pacity, or through and by means of a bridge commission
or other agency to be created or appointed by it, to con-
struct, reconstruct, maintain and operate a highway toll
bridge or tunnel, or combination thereof, over or under
and across, such river or stream, from such a point within
the corporate limits of such city, to such point on the
opposite side of such river or stream, either within or
without said city, as the said city, through its proper au-
thorities, shall designate and select, for public use in
travel, passage and transportation, over or under and
across such river or stream, and any such city may also
construct, reconstruct, maintain and operate a highway
toll tunnel under or through any mountain, hill or em-
bankment, together with any bridges, causeways, fills or
other approaches thereto, from a point within the corporate limits of such city to any other point either within or without the corporate limits of such city: Provided, however, That no bridge or tunnel shall be constructed, reconstructed, established or operated, over or under and across any navigable river, or under any mountain, hill or other embankment, without compliance with the requirements, conditions and provisions provided by the Congress of the United States and the laws of the United States, nor without approval of the state road commission of this state; and such city is authorized and empowered to borrow money by means of bonds payable from revenues, or otherwise, and/or to accept grants in part payment therefore from any state or federal governmental agency authorized to make loans, a sum of money sufficient and necessary to pay all costs of construction or reconstruction of such bridge or tunnel, or combination thereof, including approaches thereto, the acquisition of all necessary rights-of-way and all engineering, legal and other expenses necessary thereto or connected therewith, including in-
terest during construction, or reconstruction, as a self-
liquidating enterprise or project, within the meaning of
the state or federal laws authorizing loans by any such
governmental agency. And the county court of any county,
in which there is a portion of such river or stream, or on
which its county abuts or borders, is likewise authorized
and empowered to construct, reconstruct, maintain and
operate a highway toll bridge or bridges, or tunnel or tun-
nels, over or under and across such river or stream, and to
construct, reconstruct, maintain and operate a highway
toll tunnel under any mountain, hill or other embankment,
and to borrow money, as aforesaid, for the construction or
reconstruction thereof, in like manner and to the same
extent, as such city, and to construct, reconstruct, main-
tain and operate such bridge or tunnel subject to the same
limitations as are hereby imposed in the case of such
cities.

Wherever the words "bridge", "toll bridge" or "highway
toll bridge" are used in sections thirty-one, thirty-two,
thirty-three or thirty-four of this article, or any of the
other provisions of this article, the same shall be deemed
to include bridges or tunnels, or any combinations thereof,
together with any causeways, fills, or approaches neces-
sary therefor.
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 the passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within approved this the 7th day of February 1955.

Governor