

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1965



## ENROLLED

*Committee Substitute for*  
HOUSE BILL No. 800

(By Mr. *Speaker, Mr. White, & Mr. Poling*)



PASSED March 11, 1965

In Effect July 1, 1965. ~~Passage~~



FILED IN THE OFFICE OF  
J. H. B. BROWN  
SECRETARY OF STATE  
THIS DATE 3-18-65

#800

**ENROLLED**  
**COMMITTEE SUBSTITUTE**  
**FOR**  
**House Bill No. 800**

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[Passed March 11, 1965; in effect July 1, 1965.]

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AN ACT to amend chapter five of the Code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new article, designated article twelve, relating to the formation of a transportation division of the department of finance and administration. The commissioner of the department of finance and administration shall prescribe rules and regulations with respect to the ownership, purchase, use, storage, maintenance and repairs of certain state-owned motor vehicles and aircraft and means for the enforcement of rules and regulations prescribed with respect thereto.

*Be it enacted by the Legislature of West Virginia:*

That chapter five of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new article, designated article twelve, to read as follows:

**Article 12. State Transportation Division.**

**Section 1. Division Created; Power and Duties.—**

2 The West Virginia transportation division of the de-  
3 partment of finance and administration is hereby created.  
4 The commissioner of finance and administration shall  
5 promulgate rules and regulations relating to the owner-  
6 ship, purchase, use, storage, maintenance, and repair of  
7 all motor vehicles and aircraft owned by the state of  
8 West Virginia and in the possession of any department,  
9 institution, or agency thereof: *Provided, however,* That  
10 the provisions of this article shall not apply to the state  
11 road commission or to the department of public safety.  
12 If, in the judgment of the commissioner, economy or con-  
13 venience indicate the expediency thereof, the commis-  
14 sioner may require all vehicles and aircraft subject to  
15 regulation by this article, or such of them as he may

16 designate, to be kept in such garages, and other places  
17 of storage, and to be made available in such manner and  
18 under such terms for the official use of such departments,  
19 institutions, agencies, officers, agents and employees of the  
20 state as the commissioner may designate by any such  
21 rule or regulation as he may from time to time pro-  
22 mulgate.

**Sec. 2. Central Motor Pool for State-owned Vehicles**

2 **and Aircraft.**—The commissioner shall create a central  
3 motor pool, which pool shall be maintained by the trans-  
4 portation division of the department of finance and ad-  
5 ministration, subject to such rules and regulations as the  
6 commissioner may from time to time promulgate. Said  
7 transportation division shall be responsible for the storage,  
8 maintenance, and repairs of all vehicles and aircraft  
9 assigned to it.

**Sec. 3. Acquiring and Disposing of Vehicles.**—The

2 commissioner shall be empowered to purchase new  
3 vehicles and aircraft and dispose of old vehicles and air-  
4 craft as is practical from time to time.

**Sec. 4. Employees of Transportation Division; Maintenance and Service to Vehicles and Aircraft.**—The commissioner may utilize any building or land owned by the state, any department, institution or agency thereof, for the storing, garaging, and repairing of such motor vehicles and aircraft. The commissioner shall provide for the employment of a supervisor and such clerical help as needed to manage said motor pool, as well as for employment of watchmen, guards, mechanics and other labor and repair to service such vehicles and aircraft and for the purchase of gasoline, oil, and other supplies for use in connection therewith, and may utilize the facilities, services and employees of any department, institution or agency of the state to effectuate the purposes thereof.

**Sec. 5. Funds of Transportation Division.**—There is hereby created a special fund in the state treasury, out of which all costs and expenses incurred pursuant to this section shall be paid. All allocations of costs and charges for operating, repairing and servicing motor vehicles and aircraft made against any institution, agency or department shall be paid into such special

8 fund by said department or agency. All funds so paid  
 9 or transferred into this special fund are hereby ap-  
 10 propriated for the purposes of this section and shall be  
 11 paid out as the commissioner may designate; said funds  
 12 to be transferred to include all appropriations for the ac-  
 13 quisition, maintenance, repair and operation of motor  
 14 vehicles and aircraft for the fiscal year beginning July  
 15 one, one thousand nine hundred sixty-five, and as may  
 16 thereafter be appropriated by the Legislature, of the de-  
 17 partments and state agencies within the purview of this  
 18 article.

**Sec. 6. Administration.**—The commissioner is author-  
 2 ized to designate a director of the motor pool and to  
 3 impose upon such director or any other agency of the  
 4 executive department of the government, any or all ad-  
 5 ministrative duties pertaining to the administration of  
 6 this section.

**Sec. 7. Enforcement.**—If any state officer, agent or em-  
 2 ployee fails to comply with any rule or regulation of the  
 3 commissioner made pursuant to the provisions of this  
 4 article, the state auditor shall, upon order of the com-

5   missioner, refuse to issue any warrant or warrants on  
6   account of expenses incurred, or to be incurred, in the  
7   purchase, operation, maintenance, or repairs of any motor  
8   vehicle or aircraft now or to be in the possession or under  
9   the control of such officer, agent or employee. The com-  
10   missioner may take possession of any state-owned vehicle  
11   or aircraft and transfer it to the central motor pool or  
12   to make such other disposition thereof as the commis-  
13   sioner may direct.

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

*A. Ray Parker*  
Chairman Senate Committee

*Jones W. Loop*  
Chairman House Committee

Originated in the House.

Takes effect July 1, 1965.

*J. Howard Thyer*  
Clerk of the Senate

*A. Blankenship*  
Clerk of the House of Delegates

*Howard Gibson*  
President of the Senate

*H. Lehan White*  
Speaker House of Delegates

The within *approved* this the *19*  
day of *March*, 1965.

*Hubert C. Smith*  
Governor





Presented to Governors' Office

Nov. 18, 1965

11:00 a.m.