ENROLLED

Committee Substitute for HOUSE BILL No. 800

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

PASSED March 11, 1965

In Effect July 1, 1965

Filed in the Office of Secretary of State
This Day 3-18-65
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 department of finance and administration is hereby created. The commissioner of finance and administration shall promulgate rules and regulations relating to the ownership, purchase, use, storage, maintenance, and repair of all motor vehicles and aircraft owned by the state of West Virginia and in the possession of any department, institution, or agency thereof: Provided, however, That the provisions of this article shall not apply to the state road commission or to the department of public safety. If, in the judgment of the commissioner, economy or convenience indicate the expediency thereof, the commissioner may require all vehicles and aircraft subject to regulation by this article, or such of them as he may
designate, to be kept in such garages, and other places of storage, and to be made available in such manner and under such terms for the official use of such departments, institutions, agencies, officers, agents and employees of the state as the commissioner may designate by any such rule or regulation as he may from time to time promulgate.

Sec. 2. Central Motor Pool for State-owned Vehicles and Aircraft.—The commissioner shall create a central motor pool, which pool shall be maintained by the transportation division of the department of finance and administration, subject to such rules and regulations as the commissioner may from time to time promulgate. Said transportation division shall be responsible for the storage, maintenance, and repairs of all vehicles and aircraft assigned to it.

Sec. 3. Acquiring and Disposing of Vehicles.—The commissioner shall be empowered to purchase new vehicles and aircraft and dispose of old vehicles and aircraft 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
fund by said department or agency. All funds so paid or transferred into this special fund are hereby appropriated for the purposes of this section and shall be paid out as the commissioner may designate; said funds to be transferred to include all appropriations for the acquisition, maintenance, repair and operation of motor vehicles and aircraft for the fiscal year beginning July one, one thousand nine hundred sixty-five, and as may thereafter be appropriated by the Legislature, of the departments and state agencies within the purview of this article.

Sec. 6. Administration.—The commissioner is authorized to designate a director of the motor pool and to impose upon such director or any other agency of the executive department of the government, any or all administrative duties pertaining to the administration of this section.

Sec. 7. Enforcement.—If any state officer, agent or employee fails to comply with any rule or regulation of the commissioner made pursuant to the provisions of this article, the state auditor shall, upon order of the com-
missioner, refuse to issue any warrant or warrants on account of expenses incurred, or to be incurred, in the purchase, operation, maintenance, or repairs of any motor vehicle or aircraft now or to be in the possession or under the control of such officer, agent or employee. The commissioner may take possession of any state-owned vehicle or aircraft and transfer it to the central motor pool or to make such other disposition thereof as the commissioner may direct.
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.

Takes effect July 1, 1965.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

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

Governor
Presented to Governor's Office
Mar. 18, 1965
11:00 a.m.