

APPROVED AND SIGNED BY THE GOVERNOR

Date 3-20-80

Time 4:30 p.m.

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1980

— ● —

ENROLLED

HOUSE BILL No. 1150

(By Mr. S. Neal + Mr. Shiflet)

— ● —

Passed March 8, 1980

In Effect Ninety Days From Passage



No: 1150

ENROLLED

H. B. 1150

(By MRS. NEAL and MR. SHIFLET)

[Passed March 8, 1980; in effect ninety days from passage.]

AN ACT to amend and reenact article four, chapter twenty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section fourteen, relating to authorizing the director of the department of natural resources to acquire seventy-five miles of right-of-way along the abandoned Chessie System Railroad between Caldwell and Cass; authorizing the division of parks and recreation to use such right-of-way for the development, construction, operation and maintenance of certain barriers, bicycle and hiking trails, camping and certain other facilities; and prohibiting certain motorized vehicles on such right-of-way and providing exceptions thereto and penalties; and, permitting the director of the department of natural resources hunting zones or areas.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 4. PARKS AND RECREATION.

§20-4-14. Acquisition of former railroad subdivision for establishment of Greenbrier river trail; development, protection, operation and maintenance of trail.

- 1 (a) The director may acquire from the West Virginia rail-
- 2 road maintenance authority approximately seventy-five miles

3 of right-of-way along the former Greenbrier subdivision of the
4 Chessie Railroad System between Caldwell in Greenbrier Coun-
5 ty and Cass in Pocahontas County to be developed as the
6 "Greenbrier River Trail." The acquired property shall be
7 used for:

8 (1) The construction and maintenance of barriers for the
9 protection of the trail from motorized vehicular traffic and
10 for the protection of adjacent public and private property;

11 (2) The development, construction, operation and main-
12 tenance of bicycle and hiking trails, horseback trails, primitive
13 camping facilities and other compatible recreational facilities
14 to be so designated by the director.

15 (b) Except for vehicles authorized by the director for use
16 in the construction or maintenance of the trail and its facilities,
17 or for the fighting of forest fires or other recreational manage-
18 ment purposes, or any other emergency, or in the exercise of
19 vested rights of ingress, egress and regress, no person may
20 operate a motorized vehicle within the restricted area of the
21 trail. Any person who violates the provisions of this sub-
22 section is guilty of a misdemeanor, and, upon conviction there-
23 of, shall be punished in accordance with the provisions of
24 section nine, article seven of this chapter.

25 (c) The director may promulgate rules and regulations
26 establishing areas or zones where hunting may be prohibited or
27 restricted.

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

James L. Davis
Chairman Senate Committee

Clarence C. Chestnut Jr.
Chairman House Committee

Originated in the House.

Takes effect ninety days from passage.

Irrel C. Miles
Clerk of the Senate

Clarence C. Chestnut Jr.
Clerk of the House of Delegates

H. D. Balkhead
President of the Senate

Clide M. Lee, Jr.
Speaker House of Delegates

The within *is approved* this the *20*
day of *March*, 1980.

John J. Zenger
Governor

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OFFICE OF THE GOVERNOR