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2010 MAR 31 PM 4:51

WEST VIRGINIA LEGISLATURE
SEVENTY-NINTH LEGISLATURE
REGULAR SESSION, 2010

ENROLLED

COMMITTEE SUBSTITUTE

FOR

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FOR

Senate Bill No. 219

(BY SENATORS TOMBLIN (MR. PRESIDENT)
AND CARUTH, BY REQUEST OF THE EXECUTIVE)

[Passed March 13, 2010; in effect ninety days from passage.]

SB 219

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OFFICE OF THE CLERK
SECRETARY OF STATE

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Senate Bill No. 219

(BY SENATORS TOMBLIN (MR. PRESIDENT) AND CARUTH,
BY REQUEST OF THE EXECUTIVE)

[Passed March 13, 2018; in effect ninety days from passage.]

AN ACT to amend and reenact §5A-1-2 of the Code of West Virginia, 1931, as amended; and to amend and reenact §5A-3-48 and §5A-3-49 of said code, all relating to the management of motor vehicles and aircraft owned or possessed by the state; authorizing the establishment of the Fleet Management Office within the Department of Administration; authorizing the Secretary of the Department of Administration to promulgate emergency rules; and repealing certain exemptions to rules pertaining to vehicles and aircraft owned or possessed by the state.

Be it enacted by the Legislature of West Virginia:

That §5A-1-2 of the Code of West Virginia, 1931, as amended, be amended and reenacted; and that §5A-3-48 and §5A-3-49 of said code be amended and reenacted, all to read as follows:

ARTICLE 1. DEPARTMENT OF ADMINISTRATION.

§5A-1-2. Department of Administration and Office of Secretary; secretary; divisions; directors.

1 (a) The Department of Administration and the Office of
2 Secretary of Administration are continued in the executive
3 branch of state government. The secretary is the Chief
4 Executive Officer of the department and shall be ap-
5 pointed by the Governor, by and with the advice and
6 consent of the Senate, for a term not exceeding the term of
7 the Governor.

8 (b) The Department of Administration may receive
9 federal funds.

10 (c) The secretary serves at the will and pleasure of the
11 Governor. The annual compensation of the secretary shall
12 be as specified in section two-a, article seven, chapter six
13 of this code.

14 (d) There shall be in the Department of Administration
15 a Finance Division, a General Services Division, an
16 Information Services and Communications Division,
17 Division of Personnel and a Purchasing Division. Each
18 division shall be headed by a director who may also head
19 any and all sections within that division and who shall be
20 appointed by the secretary.

21 (e) There shall also be in the Department of Administra-
22 tion those agencies, boards, commissions and councils
23 specified in section one, article two, chapter five-f of this
24 code.

25 (f) The secretary may establish a Fleet Management
26 Office within the Department of Administration to:

27 (1) Manage all motor vehicles and aircraft owned or
28 possessed by the State of West Virginia or any of its
29 departments, divisions, agencies, bureaus, boards, com-

30 missions, offices or authorities: *Provided*, That such
31 vehicles and aircraft shall not be used for personal pur-
32 poses, other than for de minimis personal use;

33 (2) Administer the rules, including emergency rules,
34 promulgated under the provisions of sections forty-eight
35 and forty-nine, article three of this chapter; and

36 (3) Perform any duties relating to motor vehicles and
37 aircraft owned or possessed by the State of West Virginia
38 assigned by the secretary, which duties may include those
39 set out in sections fifty through fifty-three, article three of
40 this chapter.

ARTICLE 3. PURCHASING DIVISION.

§5A-3-48. Travel rules; exceptions.

1 (a) The Secretary of Administration shall promulgate
2 rules, including emergency rules, relating to the owner-
3 ship, purchase, use, storage, maintenance and repair of all
4 motor vehicles and aircraft owned or possessed by the
5 State of West Virginia or any of its departments, divisions,
6 agencies, bureaus, boards, commissions, offices or authori-
7 ties.

8 (b) If, in the judgment of the Secretary of Administra-
9 tion, economy or convenience indicate the expediency
10 thereof, the secretary may require all vehicles and the
11 aircraft subject to regulation by this article, or those he or
12 she may designate, to be kept in garages and other places
13 of storage and to be made available in a manner and under
14 the terms necessary for the official use of any departments,
15 institutions, agencies, officers, agents and employees of the
16 state as designated by the secretary in rules promulgated
17 pursuant to this section.

18 (c) The secretary may administer the travel regulations
19 promulgated by the Governor in accordance with section

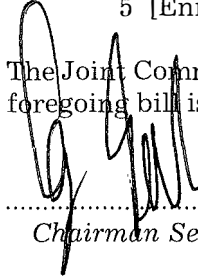
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20 eleven, article three, chapter twelve of this code, unless
21 otherwise determined by the Governor.

**§5A-3-49. Central motor pool for state-owned vehicles and
aircraft.**

1 The secretary may establish a central motor pool, which
2 shall be maintained and administered by the Department
3 of Administration, subject to such rules as the secretary
4 may promulgate. The Department of Administration is
5 responsible for the storage, maintenance, and repairs of all
6 vehicles and aircraft assigned to the central motor pool.

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

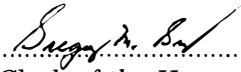

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Chairman Senate Committee

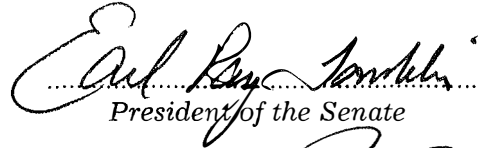

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Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

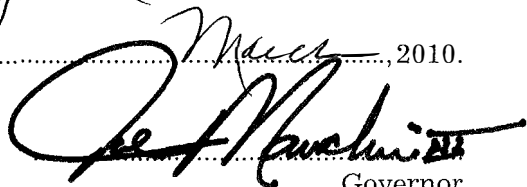

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Clerk of the Senate


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Clerk of the House of Delegates


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President of the Senate


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Speaker House of Delegates

The within is approved this the 3/8th
Day of March, 2010.


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Governor

PRESENTED TO THE
GOVERNOR

MAR 30 2010

Time 4:20 p