WEST VIRGINIA LEGISLATURE
FIRST REGULAR SESSION, 2011

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ENROLLED

COMMITTEE SUBSTITUTE

FOR

House Bill No. 2586

(By Delegates Brown, D. Poling, Fleischauer
and Talbott)

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Passed March 8, 2011

In Effect From Passage
ENROLLED

COMMITTEE SUBSTITUTE

FOR

H. B. 2586

(By Delegates Brown, D. Poling, Fleischauer and Talbott)

[Passed March 8, 2011; in effect from passage.]

AN ACT to amend and reenact article 8, chapter 64 of the Code of
West Virginia, 1931, as amended, relating generally to the
promulgation of administrative rules by the Department of
Transportation; legislative mandate or authorization for the
promulgation of certain legislative rules by various executive
or administrative agencies of the state; authorizing certain of
the agencies to promulgate certain legislative rules in the form
that the rules were filed in the State Register; authorizing
certain of the agencies to promulgate certain legislative rules
with various modifications presented to and recommended by
the Legislative Rule-Making Review Committee; authorizing
the Commissioner of Highways to promulgate legislative rules
relating to the use of state road rights of way and adjacent areas (157 CSR 6) the transportation of hazardous wastes upon the roads and highways (157 CSR 7), and Community Empowerment Transportation Act Program (157 CSR 10); authorizing the Division of Motor Vehicles to promulgate a legislative rule relating to the Motor Vehicle Inspection Manual (91 CSR 12); and authorizing the Department of Transportation - State Rail Authority to promulgate a legislative rule relating to the valuation of used rolling stock and equipment (172 CSR 2).

Be it enacted by the Legislature of West Virginia:

That article 8, chapter 64 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

ARTICLE 8. AUTHORIZATION FOR DEPARTMENT OF TRANSPORTATION TO PROMULGATE LEGISLATIVE RULES.

§64-8-1. Commissioner of Highways.

(a) The legislative rule filed in the state register on the sixteenth day of July, two thousand ten, authorized under the authority of section one, article twenty, chapter seventeen, of this code, relating to the Commissioner of Highways (use of state road rights of way and adjacent areas, 157 CSR 6), is authorized.

(b) The legislative rule filed in the state register on the sixteenth day of July, two thousand ten, authorized under the authority of section seven, article eighteen, chapter twenty-two, of this code, relating to the Commissioner of Highways (transportation of hazardous wastes upon the roads and highways, 157 CSR 7), is authorized.

(c) The legislative rule filed in the state register on the twenty-seventh day of July, two thousand ten, authorized
under the authority of section four, article twenty-eight, chapter seventeen, of this code, modified by the Commissioner of Highways to meet the objections of the Legislative Rule-Making Review Committee and refiled in the state register on the twenty-second day of November two thousand ten, relating to the Commissioner of Highways (Community Empowerment Transportation Act Program, 157 CSR 10), is authorized with the following amendments:

On page six, section eight, line five, by striking out the citation "§22-5-1" and inserting in lieu thereof the citation "§5-22-1"; and

On page six, section nine, line eight, by striking out the words "Committee on Government and Finance".

§64-8-2. Division of Motor Vehicles.

The legislative rule filed in the state register on the twenty-sixth day of July, two thousand ten, authorized under the authority of section four, article sixteen, chapter seventeen-c, of this code, relating to the Division of Motor Vehicles (Motor Vehicle Inspection Manual, 91 CSR 12), is authorized.

§64-8-3. Department of Transportation.

The legislative rule filed in the state register on the thirteenth day of May, two thousand ten, authorized under the authority of section six, article eighteen, chapter twenty-nine, of this code, relating to the Department of Transportation - State Rail Authority (valuation of used rolling stock and equipment, 172 CSR 2), is authorized.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

[Signature]
Chairman, House Committee

[Signature]
Chairman, Senate Committee

Originating in the House.

To take effect from passage.

[Signature]
Clerk of the House of Delegates

[Signature]
Clerk of the Senate

[Signature]
Speaker of the House of Delegates

[Signature]
President of the Senate

The within is approved this the 18th
day of March, 2011.

[Signature]
Governor
PRESENTED TO THE GOVERNOR

MAR 15 2011

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