



West Virginia Department of Transportation Policy: **Policy Revisions** *Issued by the Secretary of Transportation*

Policy No: DOT 1.2

Issue Date: 01/01/2019

Revised: 4/22/2022

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1.0 PURPOSE

The purpose of this policy is to detail the process for creating, revising, or rescinding a policy.

2.0 SCOPE

This policy applies to all West Virginia Department of Transportation (WVDOT) employees involved with creating, revising or rescinding a policy.

3.0 DEFINITIONS

- 3.1 **Agency:** Any authority, bureau, commission, or Division, or similar cabinet subpart of the WVDOT.
- 3.2 **Guidance:** An overview of how to perform a task.
- 3.3 **Policy:** A high level statement of why and how the WVDOT or an Agency operates and sets forth the issues and scope for fair and consistent treatment of employees and issues. A policy is uniform across the WVDOT or an Agency.
- 3.4 **Procedure:** A series of detailed steps to accomplish a task or step-by-step instructions for implementation of program or process.
- 3.5 **Legislative Rule:** Every rule, as defined in W.Va. Code §29A-1-2, proposed or promulgated by an Agency pursuant to the State Administrative Procedures Act. Legislative Rule includes every rule which, when promulgated after or pursuant to authorization of the Legislature, has:
- (1) the force of law; or
 - (2) supplies a basis for the imposition of civil or criminal liability; or
 - (3) grants or denies a specific benefit.
- Every rule, when effective, is determinative on any issue affecting constitutional, statutory or common law rights, privileges or interests is a legislative rule.
- 3.6 **Rescind:** To make void.
- 3.7 **Revise:** To review in order to update, correct or improve.
- 3.8 **Secretary:** Secretary of the WVDOT.
- 3.8 **Subject Matter Expert:** The person or group of people within an Agency most knowledgeable and experienced in a particular area or subject matter.

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4.0 RESPONSIBILITIES

- 4.1 The Secretary of the WVDOT has the responsibility for the development of policies, procedures, and guidance for the orderly and efficient conduct of business for the WVDOT. The Secretary may delegate that responsibility to the Assistant Commissioner of Highways or other upper management who will oversee the process and assure that the appropriate subject matter experts are assigned to the task.
- 4.2 The Strategic Data Management and Technology Division is responsible for posting WVDOT Policies on the intranet.
- 4.2 Each policy will be approved by the Secretary and issued through his or her office.
- 4.3 It is the responsibility of all WVDOT organizations, offices, and workplaces to maintain an adequate number of sets of WVDOT Policies and Procedures. Each set will be kept current and placed in a location readily accessible to all employees. Policy, procedures, guidance and memorandums will be sent to the relevant offices, districts, and divisions for dissemination to all employees.
- 4.4 Each organization will designate an employee to receive and to distribute all copies of policies, procedures and guidance to subordinate offices, districts, and divisions.
- 4.5 The designee is also responsible for notifying the Secretary's office of any changes in the distribution list.
- 4.6 Any WVDOT organization may solicit creation of new policies, procedures, guidance, or revisions to existing policies or procedures by submitting WVDOT Policy and Procedure Request Form, Form PR-1, to the Assistant Commissioner of Highways.
- 4.7 Any WVDOT organization may rescind a policy or procedure by using this same form, Form PR-1, with the reason, therefore.
- 4.8 All policies, guidance, and procedures will be reviewed by appropriate C and H level management in Highways, appropriate upper management in all other agencies, and the Legal Division when appropriate, before publishing.
- 4.9 Review by the Legal Division is appropriate for policies having a legal component such as due process in employment policies. A review by the Legal Division would not be necessary for the type of personal safety equipment to be worn by employees in the field or a patching crew such as hard hats. Upper management will make the determination and referral as needed.

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- 4.10 All policies, guidance, & procedures must be compared to all of the agency's rules, policies, guidance and procedures to determine whether the new or revised policy affects the other documents. If so, these documents must be corrected.
- 4.11 Any memo, letter, guidance, or other document that creates a new policy, amends or rescinds a policy, procedure or guidance document must refer to the document being changed and must be routed through and approved by the Secretary's office. The document being affected must be attached. Upon approval, the document that affects a policy or rule must be filed with the corresponding policy. Any change to a rule must follow the legislative rule making statute.

5.0 DIVISIONS WITHIN DEPARTMENT OF TRANSPORTATION

- 5.1 All policies and procedures that are specific to your Agency are to be followed. Should there be a conflict between the policies, contact the Assistant Commissioner of Highways.

6.0 ENFORCEMENT & AUTHORITY

- 6.1 All WVDOT personnel will perform their assigned functions according to applicable policies, procedures, guidance, and Legislative Rules.
- 6.2 Management personnel will ensure that subordinates are trained and knowledgeable of the policies, procedures, guidance, and Legislative Rules and are completing assigned tasks according to all requirements.
- 6.3 WVDOT's Auditing Division will periodically review each office, division, and district for compliance with policies, procedures, guidance, and Legislative Rules, and will cite the organization for violations.

7.0 RELEVANT MATERIALS/DOCUMENTS

- 7.1 [PR-1](#) DOT/DOH Policy/Procedure Request Form
- 7.2 [Link to DOT policies/procedures](#)
- 7.3 [Link to DOH policies/procedures](#)

8.0 CHANGE LOG

May 11, 2020 –

- Re-formatted policy to keep consistent with newly published policies and procedures.
- Added Legal Division under Sections 4.1, 4.2 and 4.3.d. of this policy.

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- Changed number on Policy/Procedure Request Form to PR-1.

August 4, 2020 –

- Changed Information Services Division to Information Technology Division.

March 23, 2021 –

- Changed Information Technology Division to Strategic Systems and Technology Division.
- Updated 6.0 to reflect new policy published under Highway Operations.

July 30, 2021 –

- Updated policy with new office names.
- Corrected items to match latest format changes made by Deputy Commissioner of Highways Division.

April 22, 2022 –

- Significantly rewrote the policy to simplify the process and reflect the responsibilities and duties within the WVDOT.
- Changed Strategic Systems and Technology Division to Strategic Data Management and Technology Division.
- Added sections 4.10 and 4.11 regarding memos, letters, guidance, or any other documents affecting policies.

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Effective Date of Policy: 04/22/2022

Approved by:



Jimmy D. Wriston, P.E.
Secretary of
Transportation
Commissioner of
Highways



Date

*The Secretary of the West Virginia Department of Transportation or the Commissioner of Highways may, pursuant to the authority vested with the Secretary and Commissioner in W. Va. Code §5F-2-2, §17-2A-1 *et seq.*, and §17-2-1 *et seq.*, waive the requirements of this policy if the circumstances, in the Secretary or Commissioner's sole discretion, warrant such action.