

**STATE OF WEST VIRGINIA**

**EXECUTIVE DEPARTMENT**

**AT CHARLESTON**

**EXECUTIVE ORDER NO. 12-12**

**By the Governor**

**WHEREAS**, West Virginia's extensive system of roads, highways and bridges provides the State's residents, visitors and businesses with a high degree of mobility; and

**WHEREAS**, the citizens of West Virginia deserve a highway system that enhances the safety of drivers and passengers and furthers the commercial interests of West Virginia's citizens and businesses; and

**WHEREAS**, as West Virginia looks to enhance its infrastructure to further build a thriving, growing and dynamic State, it must modernize its extensive network of roads, highways and bridges to accommodate the mobility demands, employment and commerce of a modern society; and

**WHEREAS**, as the United States strives to rebound from the national economic downturn, improving West Virginia's transportation system will play an important role in enriching this State's economic well-being by providing critically needed jobs in the short term and improving the productivity and competitiveness of the State's businesses over the long term; and

**WHEREAS**, West Virginia is one of only four states (along with Delaware, North Carolina and Virginia) that maintains both state and county roads; and

**WHEREAS**, the West Virginia Division of Highways maintains 92 percent of public highway miles in the State, which equates to approximately 36,000 miles; and

**WHEREAS**, although West Virginia's population ranks 37th in the United States, the West Virginia Division of Highways maintains the 6th largest highway system in the country; and

**WHEREAS**, State highway needs are projected to grow at a rate that far exceeds the projected growth in the State's population over the next two decades; and

**WHEREAS**, the average age of bridges in the State is approximately fifty years and more than one-third of the State's bridges are structurally deficient or functionally obsolete; and

**WHEREAS**, funding for the State's highway system has not kept pace with highway needs, which is evidenced by unfunded highway construction projects; and

**WHEREAS**, the State Road Fund is funded through a variety of revenue streams, including reimbursements from the Federal Highway Trust Fund, collections of State Motor Fuel Taxes, State Privilege Taxes, State Motor Vehicle Registration Fees and other miscellaneous fees; and

**WHEREAS**, revenue deposited into the State Road Fund has remained consistent since 1994 at approximately \$1.2 billion annually; and

**WHEREAS**, studies conducted both nationally and by the Bureau of Business and Economic Research at West Virginia University conclude that the current mechanisms of funding for highways are antiquated and insufficient to meet the needs of the State; and

**WHEREAS**, although West Virginia's congressional delegation is working in earnest to obtain federal funding for highway construction and maintenance, the State cannot assume that the federal government will provide funding for highway construction and maintenance at historical levels; and

**WHEREAS**, earlier this year, groups representing business, labor, economic development, local governments, transportation and tourism gathered at the West Virginia State Capitol and issued a united call for State leaders to develop and enact a long-term plan to address the State's transportation needs; and

**WHEREAS**, a commission comprised of involved and knowledgeable citizens, State officials, and organizations will facilitate seeking public involvement and input aimed at garnering consensus on a long-term, strategic State infrastructure and funding plan that will provide for safe roads, highways and bridges across our State.

**NOW, THEREFORE, I, EARL RAY TOMBLIN**, by virtue of the authority vested in me as Governor of the State of West Virginia, do hereby **ORDER** that:

1. The West Virginia Blue Ribbon Commission on Highways (the "Commission") is hereby created.

2. The members of the Commission shall be comprised of the following:

(a) The Governor of the State of West Virginia, or his designee;

(b) Three (3) non-voting members of the State Senate, designated by the Senate President;

(c) Three (3) non-voting members of the House of Delegates, designated by the Speaker of the House of Delegates;

(d) The Secretary of the Department of Transportation;

(e) The Secretary of the Department of Commerce;

(f) One (1) elected county official who is a member of the West Virginia Association of Counties and designated by its Executive Director;

(g) One (1) elected county commissioner who is a member of the County Commissioners' Association of West Virginia and designated by its Executive Director;

(h) One (1) elected city official who is a member of the West Virginia Municipal League and designated by its Executive Director;

(i) One (1) representative from the West Virginians for Better Transportation;

(j) One (1) representative from the Contractors Association of West Virginia;

(k) One (1) representative from the West Virginia Chamber of Commerce;

(l) One (1) representative from the West Virginia Business and Industry Council;

(m) One (1) representative from the West Virginia Manufacturers Association;

(n) One (1) representative from the West Virginia AFL-CIO;

(o) One (1) representative from the Affiliated Construction Trades Foundation;

(p) One (1) representative from the American Council of Engineering Companies of West Virginia;

(q) One (1) representative from the West Virginia Trucking Association;

(r) One (1) representative from the West Virginia Hospitality and Travel Association;

(s) Two (2) representatives from the academic community who has extensive experience in studying the State's highway system and its system of funding;

(t) Three (3) citizen members appointed by the Governor who are residents of the State of West Virginia, one (1) from each congressional district, each of whom are knowledgeable in transportation, logistics, commerce, safety, civil engineering and/or economic development; and

(u) such other members as may hereafter be named by the Governor.

3. The Commission shall have the following duties:

(a) analyze the overall structure and long-term needs of the State highway system using the established comprehensive plan of the West Virginia Division of Highways for repair, replacement, maintenance and new construction of public highways;

(b) research and analyze the overall funding mechanisms associated with the State highway system in West Virginia;

(c) seek to actively involve the public as a full and valued partner by accepting public comments in determining the adequate structure and financing of the present and future needs of the State's highway system;

(d) research and define an equitable and adequate system to properly finance improvements to the State highway system;

(e) formulate a comprehensive West Virginia Highways Action Plan addressing the aforementioned items;

(f) propose and recommend legislation for the 2013 Regular Session of the State Legislature; and

(g) exercise all such other general powers deemed necessary and proper to assist the Commission in carrying out its particular duties under this Executive Order.

4. The Commission shall hold regular meetings and shall conduct and regulate such meetings and other activities in accordance with the procedures it adopts at its first meeting, which meeting shall be scheduled and presided over by the chairperson designated by the Governor from among the members of the Commission.

5. The Commission may establish such subcommittees as it deems necessary and convenient to carry out the provisions of this Executive Order.

6. All members of the Commission shall serve without salary, although the citizen members of the Commission may seek reimbursement from the Office of the Governor for necessary and reasonable expenses incurred related to the official business of the Commission in carrying out the provisions of this Executive Order.

7. Staff support and facilitation for the Commission shall be provided by the West Virginia Department of Transportation.

8. The Commission shall report the status of its efforts under this Executive Order and any proposed legislation to the Governor no later than February 1, 2013.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Great Seal of the State of West Virginia to be affixed.



**DONE** at the Capitol, in the City of Charleston, State of West Virginia, this the fourteenth day of August, in the year of our Lord, Two Thousand Twelve, and in the One Hundred Fiftieth year of the State.

*Earl Ray Tomblin*  
**GOVERNOR**

By the Governor *Natalie E. Emmert*  
**SECRETARY OF STATE**