

SB 708 -- Redline

Introduced to Committee Substitute -- Creating WV River Access and Bridge Modernization Act

Deletions ~~struck~~ · Insertions underlined

CS for SB 708 WEST VIRGINIA LEGISLATURE REGULAR SESSION ~~Introduced~~Committee Substitute for Senate Bill 708 By Senators ~~Woodrum~~Woodrum, Hart, Deeds, Oliverio, and Hart~~Woelfel~~ ~~[Introduced]~~[Reported] February ~~2, 12, 2026;~~2026, from the Committee on Natural Resources] CS for SB 708 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated Sec.17-4B-1, Sec.17-4B-2, Sec.17-4B-3, Sec.17-4B-4, Sec.17-4B-5, Sec.17-4B-6, Sec.17-4B-7, Sec.17- 4B-8, Sec.17-4B-9, Sec.17-4B-10, Sec.17-4B-11, Sec.17-4B-12, Sec.17-4B-13, and Sec.17-4B-14, relating to public river access and public safety in connection with bridge projects and hazardous river segments;

~~referred to the Committee on Natural Resources;~~

~~and then to the Committee on the Judiciary] Intr SB 708 2026R3494 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated Sec.17-4B-1, Sec.17-4B-2, Sec.17-4B-3, Sec.17-4B-4, Sec.17-4B-5, Sec.17-4B-6, Sec.17-4B-7, Sec.17-4B-8, Sec.17-4B-9, Sec.17-4B-10, Sec.17-4B-11, Sec.17-4B-12, Sec.17-4B-13, and Sec.17-4B-14, relating to public river access and public safety in connection with bridge projects and hazardous river segments;~~

~~authorizing~~requiring informational signage in certain situations;

clarifying ~~liability;~~liability of division and private property owners;

1 CS for SB 708 (4) The provision of controlled and properly designed river access can reduce the ~~Intr SB 708 2026R3494~~ frequency, complexity, and danger of rescue operations and improve overall public safety;

"Navigable waterway" means a river or stream capable of recreational ~~navigation~~activities for a substantial portion of the year.

2 CS for SB 708 (2) Does not interfere with traffic or transportation operations;

and ~~Intr SB 708 2026R3494~~ (3) Improves public safety or resource protection, including mitigation of hazardous river conditions, unsafe ingress or egress, or conditions contributing to emergency response or rescue incidents.

and (3) Not interfere with agricultural operations, timber operations, fencing, gates, or other 3 CS for SB 708 lawful working-land uses unless expressly agreed to by the property owner.

~~Intr SB 708 2026R3494~~ (d) Nothing in this section shall be construed to require the division to acquire property.

4 CS for SB 708 (c) Nothing in this section shall be construed to:

~~Intr SB 708 2026R3494~~ (1) Require the construction of a public river access facility at any specific location;

(a) The division ~~may~~shall install informational signage when it determines such signage would reasonably improve public safety or user orientation.

5 CS for SB 708 (4) Require identification of every potential hazard;

or ~~Intr SB 708 2026R3494~~ (5) Expand the liability or legal duty of the division beyond that imposed by general law.

Nothing in this article shall be construed to create a duty beyond that imposed by general law or to expand the liability of the ~~Division~~division or private property owners for injuries occurring at or near a public river access facility.

NOTE:

~~The purpose of this bill is to encourage safe, voluntary, and fiscally responsible Intr SB 708 2026R3494 public river access without the use of eminent domain, without interference with private property rights, and without expanding the authority of the Division of Highways beyond that expressly provided by this article.~~

~~Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.~~