

# P3 Legislative Snapshot

## WEST VIRGINIA

State P3 Legislative Status: Transportation-related P3 authority.

### 1. Does this state have broadly-enabling P3 legislation?

Authorizes Division of Highways to enter into comprehensive agreements with private entities to acquire, construct or improve transportation facilities.

### 2. Does this state allow for Unsolicited Proposals?

Yes.

### 3. What is this state's P3 Review Process (i.e., multi-step: RFI, RFQ, RFP – even for unsolicited proposals)?

At least 60 days prior to execution of an agreement, the commissioner shall provide a copy of a comprehensive agreement to the Joint Committee on Government and Finance and the Joint Legislative Oversight Commission on Department of Transportation Accountability and the commissioner shall provide notice to the public.

### 4. Does this state have a Centralized Agency dedicated to P3?

West Virginia Department of Transportation (WVDOT)  
Division of Highways.

### 5. Is this a Home Rule state, with limitations or opportunities for P3?

Yes.

### 6. What Projects or Asset Classes are eligible for P3 in this state?

"Transportation Facility" means any public inland waterway port facility, road, bridge, tunnel, overpass or existing airport used for the transportation of persons or goods, and the structures, equipment, facilities or improvements necessary or incident thereto.

### 7. Are there Projects where the P3 procurement method has been applied?

No.

### 8. What is the legislative foundation for P3s in this state?

[W. Va. Code 17-27-1 to 18.](#)

[W. Va. Code 17-28-1 to 12.](#)

