



*Patrick Morrissey*  
*Office of the Governor*

April 1, 2026

**VIA HAND DELIVERY**

The Honorable Kris Warner  
Secretary of State of West Virginia  
State Capitol Complex  
Building 1, Suite 157-K  
Charleston, West Virginia 25305

**Re: Enrolled Committee Substitute for Senate Bill 697**

Dear Secretary Warner:

Pursuant to Section Fourteen, Article VII of the Constitution of the State of West Virginia I hereby disapprove and return Enrolled Committee Substitute for Senate Bill 697 with the following objections:

Earlier this month, I signed the Budget Bill into law. 87<sup>th</sup> Leg., 2<sup>nd</sup> Reg. Sess., SB 250, (Mar. 5, 2026). The budget included an additional \$125 million for the West Virginia Division of Highways ("WVDOH") to modernize our highways and repair our roads. That brought the total funding for the upcoming fiscal year to more than \$2 billion. We are very proud of the progress we have made in fixing our roads and bridges but every cent available for this task needs to be spent in the most cost-effective manner possible.

It is my understanding that Senate Bill 697 was drafted due to frustrations our timber industry has had with WVDOH as it relates to access points to timber property from our public roads. This bill would allow the timber industry to use certain access points to property without any input from WVDOH. However, this bill does not just apply to the timber industry. It is much broader and will severely curtail WVDOH from performing routine maintenance, protecting the travelling public, and preventing damage to our roads.

Under the current system of access permitting, WVDOH can act preemptively to ensure safety. By limiting what and when WVDOH can review, require modification of, or otherwise intervene with respect to existing entrances and access points, the bill shifts the agency away from the ability to take preventative action at the permit stage and instead towards a system in which

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hazards will only be able to be addressed after an incident, operational failure, or documented deficiency has occurred.

However, Senate Bill 697 also makes a drastic change in how WVDOH handles most entrance and access points, not just those used by the timber industry. It prevents WVDOH from modifying any entrance that “has been in existence for more than 40 years” “unless a change of use has occurred.” 87<sup>th</sup> Reg. Leg. Sess. SB 697, p. 6 (Mar. 13, 2026). On its face, a documented safety or operational deficiency alone will **not** suffice to meet the Bill’s “change of use” definition. *Id.*, p. 4. If implemented, WVDOH could only consider required modifications to an entrance if a safety or occupational deficiency is also paired with traffic or heavy vehicle usage increases. *Id.*, p. 5-6. Although WVDOH filed a zero-impact fiscal note on this bill based upon the lessening of WVDOH authority over these access permits, upon further analysis WVDOH estimates that its statewide costs will increase by at least \$5 million every year should this bill become law. This cost increase comes from the reduction of WVDOH’s ability to require timber operators to post a bond and make repairs to its facilities to release the bonds. These costs are simply too much to bear for the precious funds available to fix and maintain our roads. Moreover, carving out an exception to not obtain a permit will likely increase damage to state roads and bridges by preventing WVDOH from proactively implementing preventative measures.

I want to be clear: We have heard the complaints on this issue. That is why WVDOH implemented a baseline bonding and progressive penalty system for timber access permits last November. The purpose of that system is to require minimum bonding with required increases if an unscrupulous timber operation fails to correct damage to WVDOH’s right-of-way or infrastructure. Last year, I had the pleasure of signing House Bill 2002 that established a one-stop centralized system allowing a single-entry point for permit applications. WVDOH has already implemented an online system for access permits which I anticipate will continue to improve as the one-stop shop comes online over the next few months. In addition, I have identified additional efficiencies that can be achieved and I am directing WVDOH to implement these measures to further streamline the access point permitting process. I believe these commonsense changes strike the necessary balance between public safety, cost, and protecting our transportation infrastructure and making WVDOH’s permitting process more responsive to the needs of our industry.

The timber industry has long held an important place in our state’s history. In fact, it is depicted on our Great State Seal. I am firmly committed to finding ways to make our government simpler to navigate and more responsive to the needs of our industries and would encourage all parties to work collaboratively with my office and the Legislature to continue to make improvements that benefit all West Virginians.

As a result of these issues, I hereby disapprove and return Enrolled Committee Substitute for Senate Bill 697.

Sincerely,



Patrick Morrisey  
Governor

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cc: The Honorable Randy Smith,  
President of the Senate

The Honorable Roger Hanshaw  
Speaker of the House of Delegates