

VIRGINIA ACTS OF ASSEMBLY -- 2016 SESSION

CHAPTER 538

An Act to amend and reenact § 33.2-223 of the Code of Virginia, relating to powers of the Commissioner of Highways; emergency removal of snow and ice.

[S 765]

Approved March 29, 2016

Be it enacted by the General Assembly of Virginia:

1. That § 33.2-223 of the Code of Virginia is amended and reenacted as follows:

§ 33.2-223. General powers of Commissioner of Highways.

Except such powers as are conferred by law upon the Board, the Commissioner of Highways shall have the power to do all acts necessary or convenient for constructing, improving, maintaining, and preserving the efficient operation of the highways embraced in the systems of state highways and to further the interests of the Commonwealth in the areas of public transportation, railways, seaports, and airports. And as executive head of the Department, the Commissioner of Highways is specifically charged with the duty of executing all orders and decisions of the Board and may, subject to the provisions of this chapter, require that all appointees and employees perform their duties under this chapter.

In addition, the Commissioner of Highways, in order to maximize efficiency, shall take such steps as may be appropriate to outsource or privatize any of the Department's functions that might reasonably be provided by the private sector. *Procuring equipment and labor to ensure that adequate resources will be available to address emergency and weather-related events as they may arise, including snow and ice removal services, shall be considered an emergency under subsection F of § 2.2-4303, and the Commissioner of Highways shall have the authority to establish and utilize such procedures as he deems necessary and most efficient to obtain and ensure the availability of such services to protect the safety and security of the traveling public.*