



WEST VIRGINIA DEPARTMENT OF TRANSPORTATION

**Division of Highways**

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D. Alan Reed, P.E.  
State Highway Engineer

Jimmy Wriston, P. E.  
Secretary of Transportation  
Commissioner of Highways

April 11, 2022

**MEMORANDUM**

**TO:** C&H Level  
Division Directors  
District Engineers/Managers

**FROM:** Jimmy D. Wriston, P.E. *JW*  
Secretary of Transportation/  
Commissioner of Highways

**THRU:** Rita Pauley *RP*  
Assistant Commissioner

D. Alan Reed, P.E. *DR*  
State Highway Engineer

Gregory L. Bailey, P.E. *GLB*  
Chief Engineer of Operations/Deputy State Highway Engineer

**SUBJECT:** DOH 5.18 Orphan/HARP Road

The Orphan/HARP Road Policy has been revised. The revisions are summarized in Section 6.0 Change Log.

Please carefully review, share, with appropriate staff, and implement the requirements contained therein immediately.

A copy of the policy can be found at -  
<https://sites.google.com/wv.gov/dot/policies/section-v-highway-operations>

If you have any questions, please contact Jacob Bumgarner, P.E. at  
[Jacob.M.Bumgarner@wv.gov](mailto:Jacob.M.Bumgarner@wv.gov).



# West Virginia Division of Highways Policy: Orphan/HARP Road

*Issued by the Commissioner of Highways*

Policy No: DOH 5.18

4/11/2022

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## 1.0 PURPOSE

The purpose of this policy is to establish maintenance guidance for Orphan Roads as defined in W. Va. Code §17-2C and the Home Access Road Program the Division of Highways (DOH) enacted in response. From this point forward, DOH will refer to these roads as HARP roads. HARP roads are a set of roads acquired by the DOH between June 12, 1998 (90 days from March 14, 1998) the effective date of the act, and December 31, 2001, the ending date of the act pursuant to its sunset provision in W. Va. Code §17-2C-6. HARP roads are designated on highway maps and records by a road number 9xx/xx. HARP roads are a separate set of roads, tracked separately from other DOH sign system roads contained in the official Route Inventory Log (RIL).

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## 2.0 SCOPE

This policy applies to all HARP roads under the ownership and responsibility of the DOH. All HARP roads shall be maintained in accordance with this guidance using maintenance standards and procedures utilized on all other DOH systems that have similar road surfaces, drainage systems, bridges, etc.

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## 3.0 DEFINITIONS

- 3.1 **Agency:** Any authority, bureau, commission, or Division, or similar cabinet subpart of the Department of Transportation
- 3.2 **Agency Head:** Chief executive officer of any agency
- 3.3 **Core Maintenance:** Routinely scheduled maintenance activities as defined in the DOH Administrative Operation Policy Section V Chapter 15
- 3.4 **DM:** District Manager
- 3.5 **Maintenance:** Maintenance is an activity that has the primary purpose of maintaining the functionality of the road. The activity should be required to maintain the traffic volume capacity, strength, drainage characteristics, road surface, stability of the road, traffic control devices, guardrail, etc.
- 3.6 **Road:** The term road as used herein shall have the same meaning as defined by W. Va. Code §17-1-3 which provides "[t]he words or terms 'road', 'public road' or 'highway' shall be deemed to include, but shall not be limited to, the right-of-way, roadbed and all necessary culverts, sluices, drains, ditches, waterways, embankments, slopes, retaining walls, bridges, tunnels and viaducts necessary for the maintenance of travel, dispatch of freight and communication between individuals and communities.

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- 3.7 **Upgrading of Road:** Road upgrades are activities that are performed primarily for the purpose of enhancing the functionality of the road.

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### 4.0 POLICY

#### 4.1 ALLOWABLE HARP ROAD MAINTENANCE ACTIVITIES

W. Va. Code §17-2C-5 states that HARP Roads were admitted for the purposes of maintenance. This policy defines maintenance as any activity that has the primary purpose of maintaining the functionality of the road. The emphasis in this policy is the intent of the activity. Maintenance activities involve a variety of work types such as placing asphalt, placing concrete, placing pipe, mowing, ditching, placing road surface materials, placing stone, drainage structure maintenance, bridge maintenance and repairs, etc. This policy distinguishes activities that are performed as the most economical solution to achieve proper maintenance and maintain existing functionality versus similar activities performed to upgrade or improve the road's functionality.

#### 4.2 HARP ROAD MAINTENANCE SCHEDULES

HARP roads are scheduled for maintenance in accordance with Maintenance Manual based on the road surface type, traffic volume, etc. as any other County Road and will be included in the respective maintenance organization's Core Maintenance Plan. They shall be ditched, patched, mowed, stabilized and resurfaced in a manner that maintains the road functionality as described above. Additional work is permissible if the documented intent is to maintain the functionality of the road and ensure the long-term maintainability of the road.

Bridges and other drainage structures on HARP roads shall be maintained utilizing the same functionality test as described above. Consistent with this policy, the emphasis shall be on the intent of the activity. Additional work is permissible if the documented intent is to maintain the functionality of the bridge or structure and ensure the long-term maintainability of the bridge or structure.

#### 4.3 HARP ROAD ADDITIONAL MAINTENANCE ACTIVITY APPROVAL

If a maintenance organization determines that a HARP road requires work (above and beyond routine maintenance) which could be classified as an upgrade or improvement, but such work only helps to economically maintain the current functionality of the road, they shall prepare a written justification for the work. This justification shall be submitted to the DM for review. Should the DM approve the justification, a copy of it shall be kept in the County Organization's files and the District's road files, then the work may be scheduled and performed.

#### 4.4 HARP ROADS REQUIRING FUNCTIONAL UPGRADES

HARP roads that have evolved in a manner where the traffic volume, type of vehicles using the road, or other external usage issues have significantly altered the functionality of the road such that a major upgrade of the road is warranted, it shall be considered as a candidate to be converted to the County Road System. If the District determines that a HARP road usage has changed to warrant a major upgrade, the District shall prepare

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and submit an OM-79 packet through the Planning Division to the Agency Head for further review and approval.

### 4.5 **SRIC OPERATIONS**

HARP roads will be included in each organizations' SRIC plan and will be prioritized and treated as dictated by road surface type, ADT, Bus Route, etc.

### 4.6 **FUNDING**

HARP roads are part of the State Road System. Funding to perform HARP road maintenance, upgrades or other needed work will be from the maintenance organizations annual plan or other funding sources if available.

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## 5.0 **RELEVANT MATERIALS/DOCUMENTS**

5.1 W. Va. Code §17-2C

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## 6.0 **CHANGE LOG**

April 11, 2022 –

- Added traffic control devices and guardrails to 3.5 “Maintenance” definition.
- Added 3.6 “Road” definition.
- Added section 4.5 “SRIC Operations”.
- Updated format of policy.

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**Effective Date of Policy: 04/11/2022**

Approved by:

  
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Jimmy D. Wriston, P.E.  
Secretary of  
Transportation  
Commissioner of  
Highways

  
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Date