



West Virginia Department of Transportation Policy: **Activity Codes**

Issued by the Secretary of Transportation

Policy No: DOT 2.5

Issue Date: 09/15/1996

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1.0 INTRODUCTION

Activity codes are a numerical classification of expenditures in terms of the purpose, end result or reason for which incurred. These classifications permit analysis of expenditures according to major purpose and are the basis of the concept of budgeting.

The following sections have been developed for the benefit of the West Virginia Department of Transportation (WVDOT) agencies that have extensive expenditure reporting requirements. For the agencies/offices not listed their use of Activity Codes is normally limited to the Administrative Overhead, Miscellaneous Operations, or General Overhead groupings which can be found in Section 2.0, Highways.

These codes change more frequently than the normal policy review cycle. The codes will be added by supplemental memorandum, and the policy will be updated annually.

2.0 DIVISION OF HIGHWAYS (DOH)

The following is an index of the major groupings of Highways' Activity Codes.

ACTIVITY CODES	DOH MAJOR GROUPINGS
001-019	Administrative Overhead
020-030	Miscellaneous Operations
031-039	Auditing
040-049	Information Technology
050-059	Programming Division
060-069	Traffic Engineering
070-079	Highway Beautification
080-089	Auditing
090-109	General Overhead
110-129	Engineering
130-139	Materials
140-169	Right-of-Way
180-189	Safety
200-421	Highway Maintenance Management
500-599	Equipment Management
600	Planning, Research, & Development
800-817	Maintenance Management – Other
900-920	Office Services Division

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ACTIVITY CODE		DOH – ADMINISTRATIVE FUNCTIONS
001 Thru 019		ADMINISTRATIVE OVERHEAD
003	Approved Leave Time (All Types). (Maintenance Work Force Use Activity Code 803)	
004	Travel Time (Administrative)	
005	FOIA Related Activities	
006	Miscellaneous Inventory Expense (Classes 19, 23, 25, 26, and 27)	
007	Grievance (Maintenance Work Force Use Activity Code 807)	
009	Training (Maintenance Work Force Use Activity Code 809)	
011	Administrative Salaries and Operational Expenses (Maintenance Work Force Use Activity Code 801) (Equipment Personnel Use Activity Code 550)	
015	Preparation and/or Legal Action	
017	General Supervision and Administration of Maintenance not Chargeable to Specific Accounts and Authorizations.	
018	General Clerical and Secretarial Duties Performed in Conjunction with Maintenance not Chargeable to Specific Accounts and Authorizations.	
020 thru 030		MISCELLANEOUS OPERATIONS
021	Reproduction (External)	
022	Preparation of Project Worksheets (FEMA)	
023	Purchases to Inventory	
024	Contractual Services – Non-Engineering	
026	Inventory – Costs Incurred in the Performance of Physical Inventory	
027	Janitorial/Night Watchman Services not Chargeable to Specific Authorization (Other than Maintenance Personnel)	
028	Buildings and Grounds Personnel not chargeable to Specific Authorizations (Other than Maintenance Personnel).	
029	Construction by Contract (May be P or N)	
030	Sale of Materials to Outside Agencies	
031 thru 039		AUDITING
033	External Audits – Consultants	
034	External Audits – Consultants Federal Aid (P)	
036	Procedures/Investigations – Maintenance	
038	Inventory Observation	
039	Special and Miscellaneous Audits	
040 thru 049		INFORMATION TECHNOLOGY
041	Computer Services (May be P or N)	
050 thru 059		PROGRAMMING DIVISION
058	FHWA Financial Project Closeout (P only)	
060 thru 069		TRAFFIC ENGINEERING
061	Traffic Engineering Investigation (May be P or N)	
064	Signing and Marking Studies (May be P or N)	

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ACTIVITY CODE		DOH – ADMINISTRATIVE FUNCTIONS
065		Electrical Design (May be P or N)
066		Electrical Device Maintenance and Repairs (May be P or N)
067		Traffic Control Device Handling (N)
070 thru 079		HIGHWAY BEAUTIFICATION
071		Salvage Yards
072		Outdoor Advertising
080 thru 089		AUDITING
080		Financial Management Review
090 thru 109		GENERAL OVERHEAD
094		Construction by contract – Retainage invested
095		Legal, Audit Review, and Court Appearance – Salary and expense of employees for activity in research, preparation of documents and representation at trials and hearings for claims against Department of Highways in excess of \$50,000.00 (May be P or N)
096		Inventory Goods Produced by State Forces (Signs)
097		Transfer of Materials in Inventory
099		Accounting Office Use Only
110 thru 129		ENGINEERING
110		NEPA Compliance
111		Preliminary Engineering – Reconnaissance of a proposed road or structure as to its location, estimated cost, feasibility, and basic design
112		Field Engineering – Department of Highways' personnel expenditures in site and structure Engineering or Right-of-Way
113		Office Engineering – Department of Highways' personnel expenditures in Engineering, interpretation and computation of specifications for site or structure
114		Preparation of Plans, Estimates, etc. – Expenditures incurred to incorporate design features of proposed site or structure by Engineers, Draftsmen, and Technicians
115		Consulting Engineers – Outside Professional Assistance with Consultant Engineering and Construction Claim Reviews. (For consultant project inspection, see Activity 118)
116		Engineering Consultation – West Virginia Department of Highways' Personnel Expenditures in advising, prior to time of Construction.
117		Surveying
118		Project Inspection – Field inspection by DOH and consultant personnel: field inspection of work performed, inspection for construction procedures and specification compliance (inclusive of related materials sampling and testing) and inspection to determine quantity verification by cross sections and measurements. Verification of survey work and/or stake-out performed by the contractor.
119		Engineering Review of Supervision – Review by district construction for quantity and change order verification. Expenditures incurred in contract and/or project supervision

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ACTIVITY CODE		DOH – ADMINISTRATIVE FUNCTIONS
120		Plans Review – Review, confirmation, amending or rejecting contract plans for federal projects
121		Other Construction Engineering – Includes utilities, telephone, engineering supplies, janitorial and night watchmen services
123		Training Materials – Expenditures of schooling West Virginia Department of Highways' personnel in policies, procedures, and requirements of West Virginia Department of Highways and Federal Highway Administration on federal projects
125		Equal Opportunity Employment – West Virginia Department of Highways' personnel expenditures enforcing labor equality in construction of federal projects
126		Advertising and Contract Letting – Expenditures of public notice for federal project location and bids
127		Contract Review – Review by Construction Division for quantities verification
128		General clerical and secretarial work performed in conjunction with engineering activities
129		General Supervision of Engineering Activities Authorizations
130 thru 139		MATERIALS
130		Standards and Specifications
131		Geological Studies – Expenditures for geological determinations
132		Materials Investigation and Test Borings – Costs of locating construction materials relative to area of road or structure. Also, sampling and drilling of service and sub-surface materials.
133		Materials Testing and Inspection – West Virginia Department of Highways' Expenditures in inspection, sampling, and testing of materials
134		Scientific Testing Equipment – Expenditures for development and repair of scientific testing equipment
140 thru 169		RIGHT OF WAY
140		Property Acquisition Cost relative to Bills of Sale, Agreements, or Releases
141		Preparation of Plans and Descriptions – Expenditures for preparing and checking right-of-way maps and plans, including alternates
142		Appraising – Property appraising expenditures
143		Property Management
144		Court Costs of Right-of-Way Acquisitions – Expenditures of condemnation procedures and Commissioner's hearings, including all fees relative thereto
145		Property Costs of Right-of-Way Purchases – Property acquisition expenditures by negotiated settlement
146		Property Costs of Right-of-Way Condemnation – Property acquisition costs by condemnation, including interest
147		Utility Inspection or Relocation – Expenditures incurred in the relocation, up-grading, or repair of utilities and utility lines
150		Relocation Advisory Assistance and Costs – Expenditures for re-establishing individuals necessitated by right-of-way acquisition

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ACTIVITY CODE		DOH – ADMINISTRATIVE FUNCTIONS
151		Document Preparation and Legal Action – Activity in research and preparation of legal documents relating to right-of-way and construction performance and representation at trials and hearings thereon
152		Surveillance – Expenditures for patrolling property of the Department of Highways
153		Railroad Coordination Flagging & Inspection
154		Relocation – Moving Costs
156		Relocation – Replacement Housing Costs
157		Incidental Expense
159		Incidental Costs – Replacement Housing
160		Abstracting
161		Closing
162		Condemnation Assistance
163		Other Legal Fees
164		General Supervision and Administration of Right-of-Way Functions not chargeable to specific accounts and authorizations “N” Only
165		General Clerical and Secretarial Duties performed in conjunction with the Right-of-Way Functions not chargeable to specific accounts and authorizations
166		Document Preparation including the preparation of deeds, leases, and other legal Instruments for use in Property Management, Acquisition and similar activities
167		Abstracting and Closing Review includes all necessary activities performed by field staff and fee attorneys
180 thru 189		SAFETY
180		Conducting Safety Meetings (at Maintenance Organizations)
181		Facilities Inspections
182		Accident Investigation (DOH personnel & equipment including fatalities)
183		Accident Investigation (Non-DOH – no DOH Equipment or personnel involved – includes fatalities)
184		Equipment Inspection
185		Crew Inspection
189		Conducting Safety Training
194 thru 199		COMPUTER DISTRIBUTION

200, 300, & 400 SERIES: HIGHWAY MAINTENANCE MANAGEMENT		
GROUP I (200-239)	BITUMINOUS PAVEMENT MAINTENANCE	UNITS OF MEASURE (US)
200	Pothole Patching	Tons
201	Patching Bituminous Pavements	Tons
202	Repair of Base Failure	Tons

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200, 300, & 400 SERIES: HIGHWAY MAINTENANCE MANAGEMENT		
203	Skip Patching	Tons
204	Sealing and Surface Treatment	Tons
205	Tack Coat	Gallons
206	Purchase Order Contract Paving	Dollars
207	Hand or Machine Patch/Seal Asphalt and Aggregate	Tons
208	Joint and Crack Seal, Flexible Pavement	Feet
209	Temporary Patch – Premix	Tons
210	Paving	Tons
GROUP II (240-259)	PCC PAVEMENT MAINTENANCE	UNITS OF MEASURE (US)
241	Patching PCC Pavements	Sq. Feet
244	Joint and Crack Sealing in PCC Pavements	Feet
245	Surface Repair of PCC Pavements	Sq. Feet
246	Patching PCC Pavements with Premix	Tons
GROUP III (260-279)	UNPAVED SURFACE MAINTENANCE	UNITS OF MEASURE (US)
260	Stabilization – Shoulders	Tons
261	Stabilization – Roadway	Tons
262	Ditching and Blading-Unpaved Roadway	Rd. Mile
263	Blading – Unpaved Roadway	Rd. Mile
GROUP IV (280-299)	DRAINAGE MAINTENANCE	UNITS OF MEASURE (US)
280	Install Temporary Pipe Culverts	Feet
281	Minor Drainage Structures	Employee Hours
282	Install Pipe Culverts	Feet
283	Subsurface Drains	Feet
284	Dumped Rock Ditches	Tons
285	Riprapping of Embankments	Tons
286	Installation and Maintenance of Non-Bridge Structures	Employee Hours
287	Removing Ditch Line Obstacles	Feet
288	Pulling Shoulders or Ditches – Paved Roadway	Shoulder Miles
289	Dressing Shoulders Under Guardrail	Feet
290	Install Large Pipe Culvert	Feet
291	Installation of Short Span Structures	Employee Hours
GROUP V (300-339)	ROADSIDE MAINTENANCE	UNITS OF MEASURE (US)
301	Guardrail Maintenance	Feet

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200, 300, & 400 SERIES: HIGHWAY MAINTENANCE MANAGEMENT		
302	Repair/Replace Right-of-Way Fence	Feet
303	Mowing – Non-Expressway	Shoulder Miles
304	Brush Control – Hand	Employee Hours
305	Brush Control – Machine	Shoulder Miles
306	Wildflowers	Acres
307	Herbicide Spraying	Acres
308	Litter Pickup and Disposal	Bags
309	Rest Area Maintenance	Employee Hours
310	Dead Animal – Not Deer – Pickup/Removal	EA
312	Litter Disposal/Support (Non-DOH Forces)	Employee Hours
313	Contract/Hired Maintenance Under Reporting Notes Excep Dollars Purchase Order Paving (Activity 206) Embankment Stabilizatio – Contract (Activity 413)	
314	Supervision of Work Release Program Employees	Employee Hours
315	Dead Deer Pickup/Removal	EA
316	Hand Mowing/Trimming	Employee Hours
317	Mowing – Expressway (Int. & APD)	Acres
318	Canopy Clearing	
319	Hazard/Impact Threat Tree Removal	
GROUP VI (340-359)	SNOW REMOVAL AND ICE CONTROL	UNITS OF MEASURE (US)
340	Anti-Icing or Deicing with Brine	Gallons
341	Mechanical Application of SRIC Materials	Tons
342	Snow Plowing or Blowing	LM
343	Snow Fence	Feet
344	Post Storm Cleanup	Employee Hours
345	SRIC Support Operations	Employee Hours
GROUP VII (360-379)	TRAFFIC SERVICES	UNITS OF MEASURE (US)
361	Coding and Spotting	Miles
362	ITS Device Repair	Employee Hours
363	Pavement Markings	Employee Hours
364	Sign Installation/Maintenance	Employee Hours
365	Traffic Devices and Signals	Employee Hours
366	Impact Attenuators	Each
368	Roadway Stripping	Miles
369	Highway Lights	Miles
370	Inspection/Repair Overhead Sign Structures	Each

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200, 300, & 400 SERIES: HIGHWAY MAINTENANCE MANAGEMENT		
GROUP VIII (380-399)	BRIDGE	UNITS OF MEASURE (US)
380	Temporary Bridge Installation Removal or Maintenance	Employee Hours
381	Bridge Structure Replacement	Employee Hours
382	Bridge Inspection and Analysis	Employee Hours
383	Bridge Design	Employee Hours
384	Cleaning and Painting	SF
385	Repair and Realignment of Bearing Devices	Employee Hours
386	Repair/Replacement of Expansion Assemblies & Seals	LF
387	Sealing of Concrete Bridge Decks	SF
388	Sealing of Bridge Concrete Substructure Units	SF
389	Bridge Washing	Employee Hours
390	Operating of Bridge Drainage Systems	Employee Hours
391	Scour/Erosion and Riprapping at Bridges	TN
392	Bridge Deck Repair	SF
393	Bridge Deck Replacement	SF
394	Bridge Superstructure Repair	Employee Hours
395	Bridge Superstructure Replacement	Employee Hours
396	Bridge Substructure Repair	CY
397	Bridge Deck Overlay	SF
398	Bridge Culvert Repair	SF
399	Bridge Culvert Replacement	SF
GROUP IX (400-416)	OTHER MAINTENANCE	UNITS OF MEASURE (US)
401	Asphalt Pavement Grinding	Sq. Yards
402	Sweeping	SF
403	Tunnel Maintenance	Employee Hours
404	Emergency Services	Employee Hours
405	Steel Piling Installation	Feet
406	Unclassified Excavation	Tons
408	Miscellaneous Maintenance	Employee Hours
409	Placing PCC	Cubic Yards
410	Erosion/Pollution Control	Employee Hours
411	Hauling Materials – Premix & Stone	Miles
412	Embankment Stabilization – DOH	Tons
413	Embankment Stabilization – Contract	Dollars
414	Encroachment Permitting	Employee Hours

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200, 300, & 400 SERIES: HIGHWAY MAINTENANCE MANAGEMENT		
415	Permit Inspections & Administration	Employee Hours
417	Inst Gabion Baskets, Crib Wall & Concrete Blk Wall	Employee Hours
420	Debris Removal	Employee Hours
421	Geostabilization Support	Employee Hours

500 SERIES: EQUIPMENT MANAGEMENT ACTIVITIES		
ACTIVITY CODE	DESCRIPTION	
501 thru 505		UTILIZATION
501	Equipment Downtime (EQDOWN_authorizations)	
510 thru 514		NORMAL MAINTENANCE
510	Preventive Maintenance (ED# for auth. all PM related expenses)	
513	Equipment Repairs (ED# for auth. all repair expenses)	
515 thru 519		ABNORMAL REPAIR
516	Accident / Vandalism / Theft Repair (Use ED# for authorization)	
519	Warranty Repair (Use ED# for authorization)	
520 thru 530		ADDITIONS TO ASSETS
521	Component Rebuild for Inventory (Use 99909 – for authorization)	
522	New Equipment Preparation (Use ED# for authorization)	
523	Fabrication and Modification (Use ED# for authorization)	
524	Disposal Preparation (Use ED# for authorization)	
529	Repair of Hired/Rented Equipment	
531 thru 535		PRODUCTION ACCOUNTS
535	Mounting/Dismounting Attachments (Use ED# for authorization)	
540 thru 549		SHOP SUPPORT
542	Equipment Transporting – ALL (Overhead auth. / Maintenance Project)	
550 thru 599		OTHER OVERHEAD
550	Organizational Overhead Equipment	
568	Miscellaneous Expenses (Overhead authorization)	
569	Equipment Division Personnel Assigned to Equipment Auction (Overhead Authorization)	

600 SERIES: PLANNING, RESEARCH & DEVELOPMENT		
ACTIVITY CODE	DESCRIPTION	
600	Highways Planning, Research & Development	

800 SERIES: MAINTENANCE MANAGEMENT – OTHER		
GROUP X (800-816)	SERVICE FUNCTION	UNIT OF MEASURE
801	Organizational Overhead Maintenance	Employee Hours

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802	Miscellaneous Inventory Expense (Classes 19, 23, 25, 26, and 27) – Maintenance Program	Dollars
803	HR Related Duties - Maintenance	Employee Hours
804	Facilities Inspection - Maintenance	Employee Hours
805	Travel Time - Maintenance	Employee Hours
806	Organizational Meetings	Employee Hours
809	Training – Transportation Worker	Employee Hours
811	Unproductive Equipment	Dollars
812	Rent and Miscellaneous Expenses	Dollars
813	Flagging	Employee Hours
814	Handling of Materials (Non-SRIC)	Employee Hours
815	Cleaning of Equipment	Employee Hours
816	Buildings and Grounds	Employee Hours
817	SWAT / Citizen Requests	Employee Hours
818	Core Maintenance Planning & Review	Employee Hours

900 SERIES: OFFICE SERVICES DIVISION

ACTIVITY CODE	DESCRIPTION
900 thru 920	OFFICE SERVICES DIVISION
901	Copy & Reproduction Services
902	Record Retention/Microfilming and Disposal
903	Parking Lot Administration
916	Ordering of Supplies, Forms, and Materials
920	Mail Receipt and Delivery

3.0 DIVISION OF MOTOR VEHICLES (DMV)

The following is an index of the major groupings of Activity Codes for the Division of Motor Vehicles.

DIVISION OF MOTOR VEHICLES (DMV)	
ACTIVITY CODE	GROUPINGS
001-099	Administrative Overhead

ACTIVITY CODE	DIVISION OF MOTOR VEHICLES (DMV)
001-099	ADMINISTRATIVE OVERHEAD
099	Insurance Payment Processing Using Org 5999

4.0 DIVISION OF MULTIMODAL TRANSPORTATION FACILITIES

- 4.1 The following is an index of the major groupings of Activity Codes for the State Rail Authority.

STATE RAIL AUTHORITY (SRA) SECTION	
ACTIVITY CODE	GROUPINGS

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STATE RAIL AUTHORITY (SRA) SECTION	
001-120	Administrative Overhead
450-459	Other Administrative
500-600	Railroad Equipment Maintenance
950-999	Railroad Operations

ACTIVITY CODE	STATE RAIL AUTHORITY (SRA) SECTION
001-120	ADMINISTRATIVE OVERHEAD
003	Approved Leave (All Types)
009	Training
011	General Clerical and Administrative Overhead
023	Purchases to Inventory
450-459	OTHER ADMINISTRATIVE
450	Paid Lunch
500-600	RAILROAD EQUIPMENT MAINTENANCE
523	Fabrication and Modification
540	Fueling Service
546	Bulk Issue of Small Parts/Supplies for Shop Usage
547	Shop Cleanup/Setup
548	Building and Grounds Maintenance by Shop Personnel
591	Equipment Repair
592	Equipment Inspection
593	Shop Personnel (not chargeable to specific activity)
594	Communications Equipment Repair
950-999	RAILROAD OPERATIONS
	TRACK OPERATIONS
951	Inspection
952	Culvert Repair and Cleaning
953	Tie Replacement
954	Rail Replacement
956	Cross Level Repair
957	Minor Bridge Repair
958	Debris/Brush/Tree Removal
960	Switch Repairs
961	Crossing Signalization Repair
962	Cattle Guard Repair
964	Snow Removal
965	Herbicide Spraying
967	Alignment

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ACTIVITY CODE		STATE RAIL AUTHORITY (SRA) SECTION
968	Gauge Repair	
969	Ditching	
970	Rerailment	
971	Ballast Spreading	
972	Shoulder Repair	
975	Grade Crossing Repair	
976	Scrap Pick-up and Removal	
978	Rail Lubrication	
979	Track Personnel not Chargeable to Specific Activity	
		TRAIN OPERATIONS
980	Freight Handling	
981	Dispatching	
983	Excursion Services	
		COMPUTER SERVICES
		ADMINISTRATIVE

- 4.2 The following is a listing of all the Activity Codes for the Division of Public Transit (DPT).

		PUBLIC TRANSIT (DPT) SECTION
ACTIVITY CODE		GROUPINGS
111	Purchase 35ft. Replacement Bus	
112	Purchase 30ft. Replacement Bus	
113	Purchase <30 ft. Replacement Bus	
116	Purchase Replacement Van	
117	Purchase Replacement Sedan/Station Wagons	
119	Purchase 35ft. Expansion Bus	
120	Purchase 30ft. Expansion Bus	
121	Purchase <30 ft. Expansion Bus	
124	Purchase Expansion Van	
125	Purchase Expansion Sedan/Station Wagons	
203	Engineering & Design of Admin/Maintenance Facility	
204	Engineering & Design of Storage Facility	
209	Acquisition of Shop Equipment	
212	Acquisition of Surveillance/Security	
213	Acquisition of Fare Collection (Mobile)	
214	Acquisition of Support Vehicles	
215	Acquisition of Misc. Equipment	
216	Construction of Admin Building	

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PUBLIC TRANSIT (DPT) SECTION	
217	Construction of Maintenance Facility
218	Construction of Admin/Mtce. Facility
219	Construction of Storage Facility
220	Rehab/Renovation of Admin Building
221	Rehab/Renovation of Maintenance Facility
222	Rehab/Renovation of Admin/Mtce. Facility
223	Rehab/Renovation of Storage Facility
259	Acquisition of Communication Systems
260	Acquisition of Radios
268	Third Party Contract – Project Management
269	Third Party Contract – Const Management
271	Third Party Contract – Legal
272	Third Party Contract – Audit
273	Third Party Contract – Other
275	Real Estate (R/W) – Acquisition
276	Real Estate (R/W) – Relocation (Actual)
278	Real Estate (R/W) – Appraisal
351	State Administration
361	RTAP Training
362	RTAP Technical Assistance
363	RTAP Research
364	RTAP Program Reserve
365	Operating Assistance
366	RTAP Related Support Service
371	Personnel
372	Fringe Benefits
373	Travel
374	Equipment
375	Supplies
376	Contractual
377	Other
378	Indirect Charges
450	Paid Lunch
451	Miscellaneous Grant Management

5.0 CHANGE LOG

March 7, 2012 –

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- Division of Highways Activity Codes were reviewed and revised.

February 23, 2012 –

- Activity Codes for State Rail Authority, Division of Motor Vehicles and Public Transit were reviewed and revised.

December 4, 2019 –

- The names of the following activity codes **changed** under DOH Highway Maintenance Management, Groups I, VIII and IX:

Bituminous Pavement Maintenance	209
Bridge	381
Other Maintenance	401

- The following codes were **added** as new activity codes on DOH Highway Maintenance Management under the following:

Group I	Bituminous Pavement Maintenance	210
Group IV	Drainage Maintenance	280 & 290
Group VI	Snow Removal & Ice Control	340
Group VIII	Bridge	392 through 399

- Code on DOH Maintenance Management (Other) was **added** under **Service Function Maintenance Code 817**.
- The DOH 700 Series activity codes, Field Operations Other Than Overhead and Maintenance, were removed because they should not be used.

March 7, 2023 –

- Activity code 058 FHWA Financial Project Closeout (P only) was added and approved by FHWA.
- Updated State Rail Authority
- Updated Public Transit Section
- Updated Division of Motor Vehicles

October 27, 2023 –

- Updated various Division of Highways activity codes.

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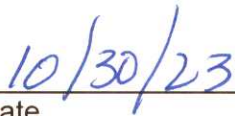
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Approved by:



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



Date

*The Secretary of the West Virginia Department of Transportation or the Commissioner of Highways may, pursuant to the authority vested with the Secretary and Commissioner in W. Va. Code §5F-2-2, §17-2A-1 *et seq.*, and §17-2-1 *et seq.*, waive the requirements of this policy if the circumstances, in the Secretary or Commissioner's sole discretion, warrant such action.