

FILED

2001 MAY 7 P 4: 29

OFFICE WEST VIRGINIA  
SECRETARY OF STATE

# WEST VIRGINIA LEGISLATURE

FIRST REGULAR SESSION, 2001



# ENROLLED

## House Bill No. 2583

(By Delegates Givens and Ennis)



Passed April 12, 2001

In Effect Ninety Days from Passage

FILED

2001 MAY -2 P 4: 30

OFFICE WEST VIRGINIA  
SECRETARY OF STATE

ENROLLED

H. B. 2583

(BY DELEGATES GIVENS AND ENNIS)

[Passed April 12, 2001; in effect ninety days from passage.]

AN ACT to amend and reenact section one, chapter two hundred eighty-seven, acts of the Legislature, regular session, two thousand, relating to directing the commissioner of highways to allow the increase of gross weight limitations on certain roads in Ohio and Brooke Counties.

*Be it enacted by the Legislature of West Virginia:*

That section one, chapter two hundred eighty-seven, acts of the Legislature, regular session, two thousand, be amended and reenacted to read as follows:

**WEIGHT LIMITATIONS ON CERTAIN ROADS IN OHIO AND BROOKE COUNTIES.**

**§1. Authority of the commissioner of the division of highways to increase weight limitations on certain highways within Ohio and Brooke Counties of West Virginia.**

1 If the commissioner of the division of highways determines  
2 that the design, construction and safety of certain highways

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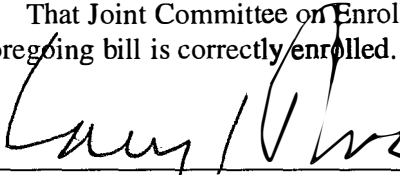
Enr. H. B. 2583]

3 designated herein in Brooke and Ohio counties of West Virginia  
4 are such that tonnage limits may be increased without undue  
5 damage, the commissioner may increase them. The commis-  
6 sioner shall then set new weight limitations applicable to said  
7 highways or portions thereof.

8       The commissioner may not establish any weight limitation  
9 in excess of or in conflict with any weight limitation prescribed  
10 by or pursuant to acts of Congress with respect to the national  
11 system of interstate and defense highways.

12       If the commissioner determines that the portion of U. S.  
13 Route 40 from milepost 0.84 to 1.35 in Ohio County to U. S.  
14 Route 40 westbound from milepost 0.00 to 0.23 in Ohio County  
15 to the southbound lanes of State Route 2 from milepost 0.17 to  
16 0.26 in Ohio County and on State Route 2 in Ohio County from  
17 milepost 3.27 to 11.61 and State Route 2 in Brooke County  
18 from milepost 0.00 to 3.33 are designed and constructed to  
19 allow the gross weight limitation to be increased from eighty  
20 thousand pounds to ninety thousand pounds without undue  
21 damage, the commissioner may increase the weight limitations  
22 from eighty thousand pounds up to ninety thousand pounds on  
23 those sections of State Route 2 and U. S. Route 40 described  
24 above: *Provided*, That any person, organization or corporation  
25 exceeding eighty thousand pounds gross weight limitation  
26 while using said routes shall first obtain a multi-trip permit  
27 from the commissioner before proceeding and shall provide the  
28 commissioner with a bond sufficient to cover any potential  
29 undue damage which may result from the use: *Provided*,  
30 *however*, That if it is the determination of the commissioner  
31 that the routes, as specifically described herein, are in need of  
32 repaving, those persons, organizations or corporations shall pay  
33 the cost of repaving in amounts as assessed, from time to time,  
34 by the commissioner: *Provided further*, That the commissioner  
35 also determines that the increased limitation is not barred by an  
36 act of the United States Congress and the commissioner has  
37 received approval from the United States department of  
38 transportation to increase the weight limitation.

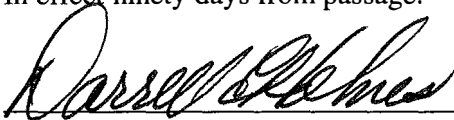
That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

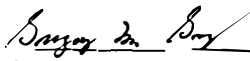
  
Chairman Senate Committee

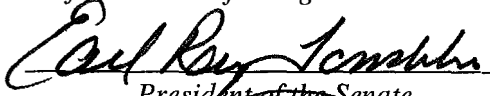
  
Chairman House Committee

Originating in the House.

In effect ninety days from passage.


  
Clerk of the Senate

  
Clerk of the House of Delegates

  
President of the Senate

  
Speaker of the House of Delegates

The within is approved this the 1<sup>st</sup> day of May, 2001.

  
Governor

PRESENTED TO THE

GOVERNOR

Date 4/23/01

Time 3:15 pm