

**H. B. 2459**

(By Delegate Howell)

[Introduced January 13, 2011; referred to the  
Committee on Roads and Transportation then the  
Judiciary.]

A BILL to amend and reenact §17C-7-9 of the Code of West Virginia,  
1931, as amended, relating to prohibiting the stopping of  
certain vehicles in roadways for the discharging of  
passengers; and providing a penalty.

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

That §17C-7-9 of the Code of West Virginia, 1931, as amended,  
be amended and reenacted to read as follows:

**ARTICLE 7. DRIVING ON RIGHT SIDE OF ROADWAY, OVERTAKING AND  
PASSING, ETC.**

**§17C-7-9. Driving and stopping on roadways laned for traffic;  
penalty.**

(a) Whenever any roadway has been divided into two or more  
clearly marked lanes for traffic the following rules in addition to  
all others consistent herewith shall apply:

(1) A vehicle shall be driven as nearly as practicable  
entirely within a single lane and shall not be moved from such lane  
until the driver has first ascertained that such movement can be

1 made with safety.

2 (2) Upon a roadway which is divided into three lanes a vehicle  
3 shall not be driven in the center lane which is clearly marked as  
4 a left turn lane except in preparation for a left turn or where  
5 such center lane is at the time allocated exclusively to traffic  
6 moving in the direction the vehicle is proceeding and is signposted  
7 to give notice of such allocation.

8 (3) Official signs may be erected directing slow-moving  
9 traffic to use a designated lane or designating those lanes to be  
10 used by traffic moving in a particular direction regardless of the  
11 center of the roadway and drivers of vehicles shall obey the  
12 directions of every such sign.

13 (4) Except for school buses, registered commercial buses and  
14 taxis no vehicle may stop in a lane of traffic to discharge  
15 passengers.

16 (b) Any person violating the provisions of this section is  
17 guilty of a misdemeanor and, upon conviction thereof, shall be  
18 fined not more than \$100; upon a second conviction within one year  
19 thereafter, shall be fined not more than \$200; and upon a third or  
20 subsequent conviction, shall be fined not more than \$500.

NOTE: The purpose of this bill is to prohibit the stopping of certain vehicles in roadways for the discharging of passengers. The bill excepts school buses, commercial buses and taxis. The also provides penalties.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.