

**Senate Bill No. 602**

(By Senators Yost and Fitzsimmons)

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[Introduced March 22, 2013; referred to the Committee on  
Transportation and Infrastructure; and then to the Committee on  
Government Organization.]

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A BILL to authorize the Commissioner of the West Virginia Division  
of Highways to allow an increase of gross weight limitations  
on certain roads in Brooke County.

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

**WEIGHT LIMITATIONS ON CERTAIN ROADS IN BROOKE COUNTY.**

**§1. Authority of the Commissioner of the West Virginia Division of  
Highways to increase weight limitations on certain highways  
within Brooke County of West Virginia.**

If the Commissioner of the West Virginia Division of Highways  
determines that the design, construction and safety of the highways  
in Brooke County are such that weight limits may be increased  
without undue damage, the commissioner may increase them. The  
commissioner shall then set new limitations applicable to the

1 highways or portions thereof.

2       The commissioner may not establish any weight limitations in  
3 excess or in conflict with any weight limitation prescribed by or  
4 pursuant to acts of Congress with respect to the National System of  
5 Interstate and Defense Highways.

6       If the commissioner determines that those portions of Brooke  
7 County Route 2/20, north and southbound, from milepost 0.00 to  
8 milepost 0.44; WV 2 in Brooke County, north and southbound, from  
9 milepost 12.34 to milepost 15.61; and U.S. 22, east and westbound,  
10 from milepost 0.00 to milepost 0.3, and all connecting ramps are  
11 designed and constructed to allow the gross weight limitation to be  
12 increased without damage, the commissioner may increase the weight  
13 limitations to 120,000 pounds, with no tolerance permitted, on  
14 those sections described above: *Provided*, That any person,  
15 organization or corporation exceeding 100,000 pounds gross weight  
16 limitation while using these routes must first obtain a multi-trip  
17 permit from the commissioner before proceeding and shall provide  
18 the commissioner with a bond sufficient to cover any potential  
19 undue damage which may result from the use: *Provided, however*,  
20 That if it is the determination of the commissioner that the  
21 routes, as specifically described herein, are in need of repaving,  
22 those persons, organizations or corporations shall pay the cost of  
23 repaving in amounts as assessed, from time to time, by the  
24 commissioner: *Provided further*, That the increased weight

1 limitations are not barred by an act of the United States Congress.

NOTE: The purpose of this bill is to authorize the Commissioner of the West Virginia Division of Highways to allow an increase of gross weight limitations on certain roads in Brooke County.