1	ENGROSSED
2	COMMITTEE SUBSTITUTE
3	FOR
4	H. B. 4242
5 6 7	(By Delegates Diserio, Jones, Swartzmiller, Ferro, Fleischauer, Perdue, Poore, Storch, Poling, D., Eldridge and Phillips, L.)
8	(Originating in the Committee on the Judiciary)
9	[February 20, 2014]
10	A BILL to authorize the Commissioner of the West Virginia Division
11	of Highways to allow an increase of gross weight limitations
12	on certain roads in Brooke County.
13	Be it enacted by the Legislature of West Virginia:
14	WEIGHT LIMITATIONS ON CERTAIN ROADS IN BROOKE COUNTY.
15 §1. Authority of the Commissioner of the West Virginia Division of	
16	Highways to increase weight limitations on certain highways
17	within Brooke County.
18	(a) If the Commissioner of the West Virginia Division of
19	Highways determines that the design, construction and safety of the
20	highways in Brooke County described in subsection c of this section
21	are such that gross weight limits may be increased without damage,
22	the commissioner may establish. The commissioner shall then set
23	new limitations applicable to the highways or portions thereof.
24	(b) The commissioner may not establish any weight limitation

1 in excess or in conflict with any weight limitation prescribed by
2 or pursuant to acts of Congress with respect to the National System
3 of Interstate and Defense Highways.

(c) If the commissioner determines that those portions of 4 5 Brooke County Route 2/20, north and southbound, from milepost 0.00 6 to milepost 0.44; WV 2 in Brooke County, north and southbound, from milepost 12.34 to milepost 15.61; and U.S. 22, east and westbound, 7 8 from milepost 0.00 to milepost 0.3, and all connecting ramps are 9 designed and constructed to allow the gross weight limitation to be 10 increased without damage, the commissioner may increase the gross 11 weight limitations up to 108,000 pounds, with no tolerance 12 permitted, on those sections described above: Provided, That any 13 person, organization or corporation exceeding the 80,000 pounds 14 gross weight limitation while using these routes must first obtain 15 a permit from the commissioner before proceeding: Provided, 16 however, That the increased weight limitations are not barred by an 17 act of the United States Congress.

18 (d) The commissioner shall create a permit that shall be 19 obtained by any person, organization or corporation wishing to 20 utilize the provisions of subsection c of this section.

21 <u>(e) The commissioner shall develop procedures for the issuance</u> 22 <u>of the permit and those procedures shall be consistent with the</u> 23 <u>existing procedures for the issuance of similar permits. The permit</u> 24 issued shall be valid for one year from the date of issuance.

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## 1 (f) The information required in the application for the permit

2 shall include:

- 3 (1) Tractor and trailer information;
- 4 (2) Number of axles;
- 5 (3) Axle spacings;
- 6 (4) Overall dimensions;
- 7 <u>(5) Load information;</u>
- 8 (6) Load weight and gross weight; and
- 9 <u>(7) Effective dates.</u>

10 (g) Upon submission of this information the person,

11 organization or corporation shall be provided an appropriate permit

12 based on the information provided in subsection f.

13 (h) The commissioner shall charge a permit fee of five-hundred

14 dollars for each vehicle.

15 (i) The Commissioner shall have the authority to immediately 16 reduce the weight limit authorized by the permit should a bridge 17 report be issued stating that the safe load weight limit is below 18 108,000 pounds.