

# **WEST VIRGINIA LEGISLATURE**

## **2016 REGULAR SESSION**

### **Committee Substitute**

**for**

### **House Bill 4554**

BY DELEGATES AMBLER, GEARHEART, TRECOST,  
HAMRICK, P. SMITH, IRELAND, COOPER AND D. EVANS

[Originating in the Committee on Government

Organization, February 24, 2016]



1 A BILL to authorize the Commissioner of the Division of Highways to allow an increase of gross  
2 weight limitations on certain roads in Greenbrier County.

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

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

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

1 (a) If the Commissioner of the Division of Highways determines that the design,  
2 construction and safety of the highways in Greenbrier County described in subsection (c) of this  
3 section are such that gross weight limits and dimensional restrictions may be increased without  
4 damage, the commissioner shall set new limitations applicable to the highways or portions  
5 thereof.

6 (b) The commissioner may not establish any weight limitation in excess or in conflict with  
7 any weight limitation prescribed by or pursuant to acts of Congress for any road or highway that  
8 is part of the National System of Interstate and Defense Highways.

9 (c) Notwithstanding any provisions of the Code of West Virginia, 1931, as amended to the  
10 contrary, if the commissioner determines that those portions of Greenbrier County Route 10/1,  
11 north and southbound, from milepost 6.10 to milepost 11.60 is designed and constructed to allow  
12 the gross weight and dimensional limitation to be increased without damage, the commissioner  
13 may increase the gross weight and vehicle dimensional limitations: *Provided*, That any person,  
14 organization or corporation or other entity proposing to exceed the gross weight and vehicle  
15 dimension limitations of current state law while using these routes must first obtain a permit from  
16 the commissioner before proceeding: *Provided, however*, That the increased weight limitations  
17 are not barred by an act of the United States Congress.

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

20 (e) The commissioner shall adopt procedures for the issuance of the permit and those  
21 procedures shall be consistent with the existing procedures for the issuance of similar permits.  
22 The permit issued shall be valid for one year from the date of issuance.

23 (f) The information required in the application for the permit includes:

24 (1) Vehicle information;

25 (2) Number of axles;

26 (3) Axle spacings;

27 (4) Overall dimensions;

28 (5) Load information;

29 (6) Load weight and gross weight; and

30 (7) Effective dates.

31 (g) Upon submission of this information the applicant shall be provided an appropriate  
32 permit based on the information provided in subsection (f) of this section.

33 (h) The commissioner shall charge a permit fee of \$500 for each permitted vehicle.

34 (i) The Commissioner may immediately reduce the weight limit authorized by the permit  
35 should a bridge report be issued stating that the safe load weight limit of any bridge subject to use  
36 by a permitted vehicle is exceeded.

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