WEST virginia legislature

2024 regular session

Committee Substitute

for

House Bill 4885

By Delegates Summers, Mallow, Phillips, Tully, Horst, and Cooper

[Originating in the Committee on the Judiciary; Reported on February 2, 2024]

A BILL to amend and reenact §17C-10-6 of the Code of West Virginia, 1931, as amended, relating to prohibiting unlawful traffic interference; creating the offense of unlawful traffic interference; creating criminal penalties; and providing exceptions.

Be it enacted by the Legislature of West Virginia:

ARTICLE 10. PEDESTRIANS' RIGHTS AND DUTIES.

§17C-10-6. Pedestrians on roadways; soliciting rides; unlawful traffic interference.

(a) Where sidewalks are provided it shall be unlawful for any pedestrian to walk along and upon an adjacent roadway.

(b) Where sidewalks are not provided any pedestrian walking along and upon a highway shall when practicable walk only on the left side of the roadway or its shoulder facing traffic which may approach from the opposite direction.

(c) No person shall stand in a roadway for the purpose of soliciting a ride from the driver of any vehicle.

(d)(1) No person may intentionally or recklessly impede vehicular traffic by walking, standing, sitting, kneeling, lying, or placing an object in such a manner as to block passage of a vehicle on a roadway.

(2) The prohibitions in this subsection shall not apply to:

(A) A person who, by permit or otherwise, has permission to operate in the roadway from an appropriate governmental authority, including a law-enforcement officer;

(B) A person who operates in the roadway to direct traffic away from a hazardous road condition, an obstacle, or the scene of an accident; or

(C) A law-enforcement officer or emergency medical services personnel acting in their official capacity.

NOTE: The purpose of this bill is to prohibit persons from sitting, standing, kneeling, or laying down in the roadway for the purpose of blocking traffic.

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