1	H. B. 4093
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3	(By Delegates Staggers, Ferro and Hall)
4	[Introduced January 17, 2012; referred to the
5	Committee on Roads and Transportation then the Judiciary.]
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10	A BILL to amend and reenact $17C-13-5$ of the Code of West Virginia,
11	1931, as amended, relating to the removal of vehicles from
12	state highways in order to restore traffic movement in
13	emergency situations; liability.
14	Be it enacted by the Legislature of West Virginia:
15	That §17C-13-5 of the Code of West Virginia, 1931, as amended,
16	be amended and reenacted to read as follows:
17	ARTICLE 13. STOPPING, STANDING AND PARKING.
18	§17C-13-5. Removal of vehicles parked, etc., on controlled- access
19	highway highways in emergencies; liability for costs
20	of removal and storage; liens for towing and
21	storage.
22	Whenever a vehicle has been stopped, parked or left standing
23	upon any part of a controlled-access highway or constitutes an

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1 obstruction to the restoration of traffic flow as the result of an
2 accident or other emergency, any police officer or employee of the
3 state road commission Division of Highways, duly authorized by the
4 commissioner, shall have the authority to remove or order the
5 removal of the vehicle, by towing or otherwise, to the nearest
6 available established garage or parking lot for storage until
7 called for by the owner or his <u>or her</u> agent. The owner shall be
8 liable for the reasonable cost of <u>such</u> removal and storage, and
9 until payment of <u>such the</u> cost the garage or parking lot operator
10 may retain possession of the vehicle subject to a lien for the
11 amount due. The garage or parking lot operator may enforce his <u>or</u>
12 <u>her</u> lien for towing and storage in the manner provided in section
13 fourteen, article eleven, chapter thirty-eight of this code for the

NOTE: The purpose of this bill is to provide a clear zone in the event that a vehicle is stopped along a highway or impedes the flow of traffic in emergency situations.

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

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