

FILED

2014 MAR 28 P 5:04

OFFICE WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE
SECOND REGULAR SESSION, 2014

HB 4242



ENROLLED

COMMITTEE SUBSTITUTE
FOR

House Bill No. 4242

(By Delegates Diserio, Jones, Swartzmiller,
Ferro, Fleischauer, Perdue, Poore, Storch,
Poling, D., Eldridge and Phillips, L.)



Passed March 7, 2014

In effect from passage.

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FOR

H. B. 4242

(BY DELEGATES DISERIO, JONES, SWARTZMILLER,
FERRO, FLEISCHAUER, PERDUE, POORE, STORCH,
POLING, D., ELDRIDGE AND PHILLIPS, L.)

[Passed March 7, 2014; in effect from passage.]

**AN ACT 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.**

1 (a) If the Commissioner of the West Virginia Division of
2 Highways determines that the design, construction and safety of
3 the highways in Brooke County described in subsection c of this

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4 section are such that gross weight limits may be increased
5 without damage, the commissioner may establish new
6 limitations applicable to the highways or portions thereof.

7 (b) The commissioner may not establish any weight
8 limitation in excess or in conflict with any weight limitation
9 prescribed by or pursuant to acts of Congress with respect to the
10 National System of Interstate and Defense Highways.

11 (c) If the commissioner determines that those portions of
12 Brooke County Route 2/20, north and southbound, from milepost
13 0.00 to milepost 0.44; WV 2 in Brooke County, north and
14 southbound, from milepost 12.34 to milepost 15.61; and U.S. 22,
15 east and westbound, from milepost 0.00 to milepost 0.3, and all
16 connecting ramps are designed and constructed to allow the
17 gross weight limitation to be increased without damage, the
18 commissioner may increase the gross weight limitations up to
19 108,000 pounds, with no tolerance permitted, on those sections
20 described above: *Provided*, That any person, organization or
21 corporation exceeding the 80,000 pounds gross weight limitation
22 while using these routes must first obtain a permit from the
23 commissioner before proceeding: *Provided, however*, That the
24 increased weight limitations are not barred by an act of the
25 United States Congress.

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

29 (e) The commissioner shall develop procedures for the
30 issuance of the permit and those procedures shall be consistent
31 with the existing procedures for the issuance of similar permits.
32 The permit issued shall be valid for one year from the date of
33 issuance.

34 (f) The information required in the application for the permit
35 shall include:

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36 (1) Tractor and trailer information;

37 (2) Number of axles;

38 (3) Axle spacings;

39 (4) Overall dimensions;

40 (5) Load information;

41 (6) Load weight and gross weight; and

42 (7) Effective dates.

43 (g) Upon submission of this information the person,
44 organization or corporation shall be provided an appropriate
45 permit based on the information provided in subsection f.


46 (h) The commissioner shall charge a permit fee of five-
47 hundred dollars for each vehicle.

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

That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.



Chairman, House Committee



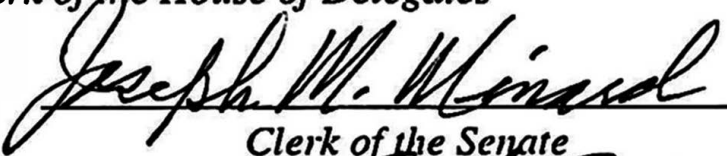
Member — Chairman, Senate Committee

Originating in the House.

In effect from passage.



Clerk of the House of Delegates



Clerk of the Senate



Speaker of the House of Delegates



President of the Senate

The within is approved this the 28th
day of March, 2014.



Governor

PRESENTED TO THE GOVERNOR

MAR 28 2014

Time 10:45 AM