

WEST VIRGINIA LEGISLATURE

2016 REGULAR SESSION

Introduced

House Bill 4554

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[Introduced February 16, 2016; Referred
to the Committee on Roads and Transportation then
Government Organization.]

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

32 provided an appropriate 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 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 the bridge is exceeded.

NOTE: The purpose of this bill is to authorize the Commissioner of the Division of Highways to allow an increase of gross weight limitations on certain roads in Greenbrier County.

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