WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Introduced

House Bill 5386

By Delegates Sheedy, Willis, and Foggin

[Introduced January 31, 2024; Referred to the Committee on Technology and Infrastructure]

A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §17-2-1, relating to the creating expectations for the removal of "flagger ahead" signs on WV roadways.

Be it enacted by the Legislature of West Virginia:

Article 2. Procedures for Sign removal from Roadway

§17-2-1. Procedure for the removal of "Flagger Ahead" signs.

(a) All signs intended to warn drivers that work is being conducted, including, but not limited to, "flagger ahead" signs, must be removed from the roadway within 30 minutes of cessation of or removal of flaggers on any and all public roadways within the state.

(b) Violations of this procedure will be prosecuted as follows:

(1) A first offense will result in a warning and the offender shall be fined $50 for the court costs associated with adjudicating the offense;

(2) A second offense will result in a $200 fine in additions to the court costs.

(3) A third offense will result in the offender paying a $500 fine, court costs, and the offender will have their right-­of-way entry permit revoked.

(c) This section will become effective on July 1, 2024.

NOTE: The purpose of this bill is to create expectations for the removal of "flagger ahead" signs on WV roadways.

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