

WEST VIRGINIA LEGISLATURE

2025 REGULAR SESSION

ENROLLED

House Bill 2344

BY DELEGATES J. CANNON, CHIARELLI, HOLSTEIN,
BROWNING, AND ELDRIDGE

[Passed April 12, 2025; in effect 90 days from
passage (July 11, 2025)]

1 AN ACT to amend and reenact §17C-14-9a of the Code of West Virginia, 1931, as amended,
2 relating to requiring drivers take certain actions when approaching stationary vehicles that
3 display a warning signal; providing for fine, confinement, and suspension of driving
4 privileges

Be it enacted by the Legislature of West Virginia:

ARTICLE 14. MISCELLANEOUS RULES.

§17C-14-9a. Approaching stationary vehicles; penalties.

1 (a) The driver of any vehicle approaching a stationary vehicle, when the stationary vehicle
2 is giving a signal by displaying alternately flashing red, red and white, blue, or red and blue lights
3 or amber or yellow warning lights, emergency flashers or hazard lights, flares, or retroreflective
4 warning sign shall:

5 (1) Proceed with due caution, yield the right-of-way by making a lane change not adjacent
6 to that of the stationary vehicle, if possible with regard to safety and traffic conditions, if on a
7 highway having at least four lanes with not less than two lanes proceeding in the same direction
8 as the approaching vehicle and reduce speed to a safe level for road conditions; or

9 (2) Proceed with due caution, reduce the speed of the vehicle, maintaining a safe speed
10 not to exceed 15 miles per hour on any nondivided highway or street and 25 miles per hour on
11 any divided highway depending on road conditions, if changing lanes would be impossible or
12 unsafe.

13 (b) (1) Any person who violates any subsection of this section is guilty of a misdemeanor
14 and, upon conviction thereof, shall be fined not more than \$500 or confined in the county or
15 regional jail not more than 60 days, or both fined and confined.

16 (2) If violation of this section results in property damage in addition to any other penalty
17 imposed, driving privileges of the persons causing the property damage shall be suspended for
18 90 days.

19 (3) If violation of this section results in injury to another person in addition to any other
20 penalty imposed, the driving privileges of the person causing the injury shall be suspended for six
21 months.

22 (4) If violation of this section results in the death of another person in addition to any other
23 penalty imposed, the driving privileges of the person causing the death shall be suspended for
24 two years.

25 (5) Any person who violates any provision of this section and while doing so also violates
26 §17C-5-2 of this code is guilty of a misdemeanor and, upon conviction thereof, shall, in addition
27 to the penalties set out in §17C-5-2 of this code and this section, be fined not less than \$1,000
28 nor more than \$5,000, or confined in jail for a period not more than six months, or both fined and
29 confined.

The Clerk of the House of Delegates and the Clerk of the Senate hereby
certify that the foregoing bill is correctly enrolled.

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Clerk of the House of Delegates

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Clerk of the Senate

Originated in the House of Delegates.

In effect 90 days from passage.

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Speaker of the House of Delegates

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President of the Senate

The within is this the.....
Day of, 2025.

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Governor