

# **WEST VIRGINIA LEGISLATURE**

## **2026 REGULAR SESSION**

**Introduced**

### **Senate Bill 74**

By Senator Thorne

[Introduced January 14, 2026; referred  
to the Committee on the Judiciary]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new section,  
2 designated §61-6-1c, relating to establishing the criminal offense of obstructing a highway  
3 or other passageway; defining "obstruct"; and establishing penalties for violation of  
4 section.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE            6.            CRIMES            AGAINST            THE            PEACE.**

**§61-6-1c. Obstructing highway or passageway; penalties.**

1 (a) A person commits an offense if, without legal privilege or authority, he or she  
2 intentionally, knowingly, or recklessly:

3 (1) Obstructs a highway, street, or sidewalk to which the public or a substantial group of the  
4 public has access, or any other place used for the passage of persons, vehicles, or conveyances,  
5 regardless of the means of creating the obstruction and whether the obstruction arises from his or  
6 her acts alone or from his or her acts and the acts of others; or

7 (2) Disobeys a reasonable request or order to move issued by a person the actor knows to  
8 be or is informed is a law enforcement officer, a fire fighter, or a person with authority to control the  
9 use of the premises to prevent obstruction of a highway or any of those areas contained in  
10 subsection (a)(1) of this section;

11 (b) For purposes of this section, "obstruct" means to render impassable or to render  
12 passage unreasonably inconvenient or hazardous.

13 (c) Any person who violates this section shall be guilty of a misdemeanor, and upon  
14 conviction thereof, shall be fined not less than \$500, or incarcerated for up to one year, or both  
15 fined and confined.

16 (d) Any person who violates this section under the aggravating circumstances described in  
17 subsection (e) of this section shall be guilty of a felony and, upon conviction thereof, shall be fined  
18 not less than \$1,000 or imprisoned in a state correctional facility for not less than one year or more  
19 than three years, or both fined and imprisoned.

20 (e) If a person has previously been convicted of an offense punishable under subsection  
21 (c); or during the commission of the offense knowingly prevented the passage of an authorized  
22 emergency vehicle that is operating the vehicle's emergency audible or visual signals; or  
23 obstructed access to a hospital or other health care facility that provides emergency medical care,  
24 he or she shall be subject to the criminal penalties established in subsection (d) of this section.

NOTE: The purpose of this bill is to establish the criminal offense of obstructing a highway or other passageway; defining "obstruct"; and establishing penalties for violation of section.

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