

SB 472

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WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1998



ENROLLED

SENATE BILL NO. 472

(By Senator Wooten et. al.)



PASSED March 10 1998

In Effect ninety days from Passage

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STATE HOUSE ST-101

ENROLLED

Senate Bill No. 472

(BY SENATORS WOOTON, BALL, BOWMAN, DITTMAR,
HUNTER, KESSLER, ROSS, SNYDER, WHITE AND SCOTT)

[Passed March 10, 1998; in effect ninety days from passage.]

AN ACT to amend and reenact section three, article six, chapter seventeen-c of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to when municipalities may lower the twenty-five mile per hour speed limit in residential areas.

Be it enacted by the Legislature of West Virginia:

That section three, article six, chapter seventeen-c of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 6. SPEED RESTRICTIONS.**§17C-6-3. When local authorities may alter speed limits.**

1 (a) *At intersection.* — Whenever local authorities within
2 their respective jurisdictions determine upon the basis of
3 an engineering and traffic investigation that the speed
4 permitted under this chapter at any intersection is greater
5 than is reasonable or safe under the conditions found to
6 exist at such intersection, such local authority subject to
7 subsection (e) of this section shall determine and declare
8 a reasonable and safe speed limit thereat, which shall be
9 effective at all times or during hours of daylight or
10 darkness or at such other times as may be determined
11 when appropriate signs giving notice thereof are erected
12 at such intersection or upon the approaches thereto.

13 (b) *Authority to increase twenty-five mile limit.* — Local
14 authorities in their respective jurisdictions may in their
15 discretion, but subject to subsection (e) of this section,
16 authorize by ordinance higher speeds than those stated in
17 section one of this article upon through highways or upon
18 highways or portions thereof where there are no intersec-
19 tions or between widely spaced intersections, which higher
20 speed shall be effective at all times or during hours of
21 daylight or at such other times as may be determined
22 when signs are erected giving notice of the authorized
23 speed, but local authorities shall not have authority to
24 modify or alter the basic rule set forth in subsection (a),
25 section one of this article or in any event to authorize by
26 ordinance a speed in excess of fifty-five miles per hour.

27 (c) *Authority to decrease fifty-five mile limit.* — When-
28 ever local authorities within their respective jurisdictions
29 determine upon the basis of an engineering and traffic
30 investigation that the speed under this chapter upon open
31 country highway outside a business or residence district is
32 greater than is reasonable or safe under the conditions
33 found to exist upon such street or highway, the local
34 authority may determine and declare a reasonable and

35 safe limit thereon but in no event less than thirty-five
36 miles per hour and subject to subsection (e) of this section,
37 which reduced limit shall be effective at all times or
38 during hours of darkness or at other times as may be
39 determined when appropriate signs giving notice thereof
40 are erected upon such street or highway.

41 (d) *Authority to decrease twenty-five mile limit.* — A
42 municipality may in its discretion, but subject to subsec-
43 tion (e) of this section, authorize by ordinance lower
44 speeds than those stated in subdivision (2), subsection (b),
45 section one of this article upon local dedicated rights of
46 way in a residential district or portions thereof, which
47 lower speed shall be effective at all times or during hours
48 of daylight or at such other times as may be determined
49 when signs are erected giving notice of the authorized
50 speed.

51 (e) *Alteration of limits on state highways in municipali-*
52 *ties.* — Alteration of limits on state highways or extensions
53 thereof in a municipality by local authorities shall not be
54 effective until such alteration has been approved by the
55 commissioner of highways.

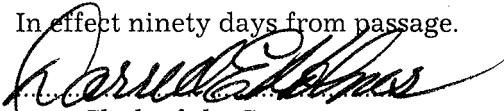
That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

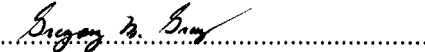

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Chairman Senate Committee

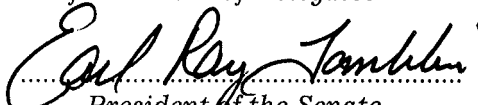

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Chairman House Committee

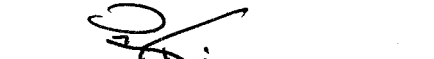
Originated in the Senate.

In effect ninety days from passage.

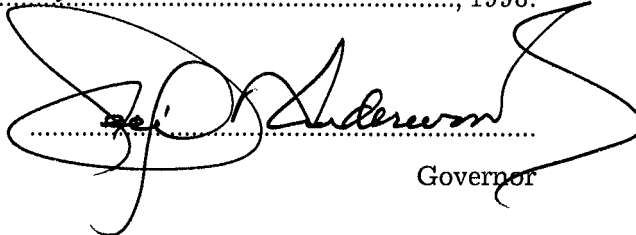

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Clerk of the Senate


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Clerk of the House of Delegates


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President of the Senate


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Speaker House of Delegates

The within approved this the 19th
day of March, 1998.


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Governor

PRESENTED TO THE

GOVERNOR

Date 3/16/98

Time 10:21 am