WEST VIRGINIA CODE: §17c-17-14

§17C-17-14. Penalties for violation of weight laws; impounding vehicles.

Any owner, lessee or borrower of a vehicle or combination of vehicles who operates or permits to be operated on any highway such vehicle or combination of vehicles with any axle load in excess of that permitted by sections eight and eight-a of this article, or with a total gross weight with load imposed upon the highway by any one group of two or more consecutive axles in excess of that permitted by section nine or eleven-a of this article, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine scheduled in proportion to the amount of pounds in excess of the registered weight, or in excess of allowable weights for single axle, or in excess of allowable weights for groups of two or more consecutive axles, in accordance with the schedule in words and figures as follows:

Pounds in excess of registered weight, or in excess of allowable weights for single axle, or in excess of allowable weights for groups of two or more consecutive axles.

Amount

of Fine

1 to 4,000 $ 20.00

4,00 1to 5,000 $ 25.00

5,001 to 6,000 $ 60.00

6,001 to 7,000 $ 70.00

7,001 to 8,000 $ 80.00

8,001 to 9,000 $ 90.00

9,001 to 10,000 $ 100.00

10,001 to 11,000 $ 165.00

11,001 to 12,000 $ 180.00

12,001 to 13,000 $ 195.00

13,001 to 14,000 $ 210.00

14,001 to 15,000 $ 225.00

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15,001 to 16,000 $ 320.00

16,001 to 17,000 $ 340.00

17,001 to 18,000 $ 360.00

18,001 to 19,000 $ 380.00

19,001 to 20,000 $ 400.00

20,001 to 21,000 $ 525.00

21,001 to 22,000 $ 550.00

22,001 to 23,000 $ 575.00

23,001 to 24,000 $ 600.00

24,001 to 25,000 $ 625.00

25,001 to 26,000 $ 780.00

26,001 to 27,000 $ 810.00

27,001 to 28,000 $ 840.00

28,001 to 29,000 $ 870.00

29,001 to 30,000 $ 900.00

30,001 to 40,000 $1,200.00

40,001 to 50,000 $1,400.00

50,001 and over $1,600.00

In the event any owner, lessee or borrower of a vehicle is charged with violating this section, the vehicle which is charged to be overloaded shall be impounded by the arresting officer and shall not be released to such owner, lessee or borrower unless and until such owner, lessee or borrower either shall have been found guilty and paid any fine assessed against such owner, lessee or borrower, or shall have furnished cash or surety bond in at least double the amount of the fine which may be assessed against such owner, lessee or borrower for such violation of this section and conditioned upon the payment of any such fine and costs assessed for such violation, or shall have been acquitted of such charge. Such owner, lessee or borrower shall be liable for any reasonable storage costs incurred in storing such vehicles: Provided, That if the owner of such vehicle is a resident of or has a principal place of business located in this state, and said vehicle has been duly licensed in the state,

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then said vehicle shall not be impounded but the arresting officer shall deliver to the driver a written notice stating such violation; the place, date and time; the license number of said vehicle; the title number and name and address of the owner; the driver's name, address, and the number of his operator's or chauffeur's card or permit; and the court, place, date and time for hearing, which shall be within five days of such violation (Saturdays, Sundays, and holidays, excluded). A copy of such notice shall within forty-eight hours be mailed to the owner of said vehicle. Upon the failure by such owner or his or its agent to appear at the designated place and time, or upon failure to pay the fine and costs assessed for such violation, unless such owner shall have been acquitted of such charge, the court shall order a bond or the impounding of said vehicle as provided in this section.

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