WEST VIRGINIA CODE: §17c-3-10

§17C-3-10. Interference with official traffic-control devices by infrared or electronic devices.

- (a) The possession or use of a mobile infrared transmitter (MIRT), or any type of infrared or electronic device capable of changing a traffic control signal, by anyone other than the operator of an authorized emergency vehicle, is prohibited.
- (b) Any person violating the provisions of subsection (a) of this section is guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than \$500 or confined in the county or regional jail not more than three days, or both; and upon a second conviction thereof, shall be fined not more than \$1,000 or confined in the county or regional jail not more than six days, or both; and upon a third or subsequent conviction thereof, shall be fined not less than \$500 nor more than \$2,500 or confined in a county or regional jail one year, or both.
- (c) Notwithstanding the provisions of subsection (a) of this section, any person convicted of a violation of subsection (a) of this section which results in physical injury to another shall be guilty of a felony and, upon conviction, shall be imprisoned in a state correctional facility for not less than one nor more than three years or fined not more than \$5,000, or both.
- (d) The provisions of this section shall not apply to any device which simply makes a vehicle visible or its presence known to a sensor which triggers the changing of a traffic light after the vehicle operator has complied with the traffic signal indication.