WEST VIRGINIA CODE: §17c-3-4B

§17C-3-4b. Traffic violations in construction zones; posting requirement; criminal penalty.

(a) Where street or highway construction work is being conducted, signs and other traffic control devices, as adopted in §17C-3-1 of this code, shall be posted giving the location of the work and notifying all motorists as to the speed limit and any other traffic restrictions.

(b) Any person who exceeds any posted speed restriction or traffic restriction at a construction site referred to in subsection (a) of this section by less than 15 miles per hour is guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than $200: *Provided*, That any person who exceeds any posted speed restriction or traffic restriction at a construction site referred to in subsection (a) of this section when any worker is present by less than 15 miles per hour is guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than $500.

(c) Any person who exceeds any posted speed restriction or traffic restriction at a construction site referred to in subsection (a) of this section by 15 miles per hour or more is guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than $200 or confined in a regional jail not more than 20 days, or both: *Provided*, That any person who exceeds any posted speed restriction or traffic restriction at a construction site referred to in subsection (a) of this section when any worker is present by 15 miles per hour or more is guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than $1,000 or confined in a regional jail not more than 30 days, or both.

(d) Notwithstanding the provisions of §17C-14-15 of this code, any person who commits a violation of §17C-14-15 of this code within a construction site referred to in subsection (a) of this section when any worker is present is guilty of a misdemeanor and, upon conviction thereof, shall be subject to fines not more than twice those authorized for the applicable offense under §17C-14-15 of this code.

(e) Nothing in this section shall be construed to preclude prosecution of any operator of a motor vehicle who commits a violation of any other provision of this code for such violation.

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