WEST VIRGINIA CODE: §17c-6-11

§17C-6-11. Special speed limitations when meeting or overtaking waste service vehicles; penalty.

- (a) No person shall drive a motor vehicle and meet or overtake from either direction a stopped waste service vehicle at a speed in excess of fifteen miles per hour.
- (b) For purposes of this section, "waste service vehicle" means any garbage collection vehicle, including a vehicle collecting recyclables or yard waste, which is used for curbside collection, makes frequent stops and is not fully automated.
- (c) The speed limitation set forth in subsection (a) of this section applies only under the following circumstances:
- (1) The waste service vehicle is identifiable as a waste service vehicle based on the vehicle configuration or markings on the vehicle;
- (2) The waste service vehicle operator is giving a visual signal by means of a stationary sign to warn of the presence of workers or must use flashing lights as permitted in this code to caution other drivers; and
- (3) The waste service vehicle is not located on a private driveway, controlled access highway, interstate highway, turnpike or road or highway with a center line and more than two lanes.
- (d) Any person who violates the provisions of subsection (a) of this section is guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than \$100 nor more than \$300. If the person convicted of violating subsection (a) exceeded the speed limit by fifteen miles per hour or more or caused serious injury or death to a service vehicle worker, then the person shall be fined not less than \$300 nor more than \$1,000 or confined in jail for not more than one year, or both confined and fined.