WEST VIRGINIA CODE: §24A-7-7

§24A-7-7. Authority of motor carrier inspectors to enforce all traffic rules as to commercial vehicles; use of radar as evidence.

(a) The employees of the commission designated as commercial vehicle enforcement officers have the same authority as law-enforcement officers generally to enforce the provisions of chapter seventeen-c of this code with respect to commercial motor vehicles owned or operated by motor carriers, exempt carriers or private commercial carriers where vehicles have a gross vehicle weight rating of ten thousand pounds or more.

The commission is authorized to delegate commercial vehicle enforcement officer duties to weight enforcement officers as it considers appropriate, following successful training and certification of individual officers, who shall then have the same authority as commercial vehicle enforcement officers under this section. The commission is also authorized to delegate weight enforcement duties to commercial vehicle enforcement officers.

(b) The speed of a commercial motor vehicle owned or operated by a motor carrier, exempt carrier or private commercial carrier may be proved by evidence obtained by use of any device designed to measure and indicate or record the speed of a moving object by means of microwaves, when the evidence is obtained by employees of the commission designated as commercial vehicle enforcement officers. The evidence so obtained is prima facie evidence of the speed of the vehicle.

(c) Commercial vehicle enforcement officers shall also perform a North American standard safety inspection of each commercial motor vehicle stopped for enforcement purposes pursuant to this section.

(d) Before exercising the provisions of this section, the commercial vehicle enforcement officers shall receive adequate training.

(e) Nothing in this section affects the existing authority of law-enforcement officers not employed by the commission to enforce the provisions of chapter seventeen-c of this code.

WV Legislature