

Rec., Mar. 19, 1934

ENROLLED BILL
(SECOND EXTRAORDINARY SESSION, 1933)

House Bill No. 150

(By Mr. Marsh of Ohio)

Passed March 16th 1934

In Effect From Passage

Originated in the House of Delegates Takes effect Passage
J. W. Ball Clerk
Geo. A. McCall Clerk of House of Delegates

CORRECTLY ENROLLED

James I. Smith Chairman House Committee
Mrs. Hazel E. Hyne Chairman Senate Committee

ENROLLED BILL

(H. B. No. 150)

[Passed March 16, 1934; in effect from passage.]

AN ACT to amend and reenact section twenty-two, article eight, chapter sixty, acts of the Legislature of West Virginia, first extraordinary session, one thousand nine hundred thirty-three, relating to motor vehicles.

Be it enacted by the Legislature of West Virginia:

That section twenty-two, article eight, chapter sixty, acts of the Legislature of West Virginia, first extraordinary session, one thousand nine hundred thirty-three, be amended and reenacted to read as follows:

- Section 22. All vehicles used for commercial purposes shall
- 2 have plainly marked on the right side thereof in some con-
- 3 spicuous place the actual weight of the vehicle, with equip-
- 4 ment, and the weight of the seating or loading capacity of such
- 5 vehicle.
- 6 Every motor vehicle shall be equipped with two sets of brakes

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James L. Smith

Chairman House Committee.

James A. Stegman

Chairman Senate Committee.

7 operating independently, except tractors and traction engines
8 which shall be provided with suitable brakes.

9 Every motor vehicle and tractor, when in use on the roads,
10 shall be equipped with a suitable horn or signaling device for
11 producing an abrupt sound as a signal or warning of danger.

12 The commissioner shall have the power to make and enforce
13 suitable regulations governing the kind and use of such horns
14 or signaling devices.

15 Every vehicle operated on any road in this state at night
16 shall be equipped with a lamp, or lamps, as hereinafter pro-
17 vided, of sufficient power, and so adjusted and operated as
18 to enable the operator of such vehicle to proceed with safety
19 to himself and to other users of the road under all ordinary
20 conditions of road and weather.

21 Every motor vehicle and tractor shall have mounted on
22 the right and left sides of the front thereof a lamp, such
23 lamps to be of approximately equal candle power, and every
24 motorcycle shall have mounted on the front thereof one lamp.
25 If such vehicles are so mechanically constructed, governed or
26 controlled that they cannot exceed a speed of fifteen miles per
27 hour, they shall have front lamps capable of furnishing light

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James A. Higgins

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28 of sufficient candle power to render any substantial object
29 clearly discernible on a level road at least fifty feet directly
30 ahead, and at the same time at least seven feet to the right
31 of the axis of such vehicle for a distance of at least twenty-
32 five feet. If such vehicles can exceed a speed of fifteen miles
33 per hour, then they shall have front lamps capable of furnish-
34 ing light of sufficient candle power to render any substantial
35 object clearly discernible on a level road at least two hundred
36 feet directly ahead, and at the same time at least seven feet
37 to the right of the axis of such vehicle for a distance of at
38 least one hundred feet: *Provided*, That no front lamp capable
39 of furnishing more than four candle power light shall be
40 used if equipped with a reflector, unless so designed,
41 equipped or mounted that no portion of the beam of light,
42 when projected seventy-five feet or more ahead of the lamp,
43 shall rise above a plane forty-two inches higher than and
44 parallel with the level surface upon which the vehicle stands:
45 *Provided further*, That no electric bulb or other lighting de-
46 vice of a greater capacity than thirty-two candle power shall

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47 be used, no matter how the same may be shaded, covered or
48 obscured.

49 Every trailer and semitrailer, except small two-wheel trailers
50 of one thousand pounds capacity or less, towed closely behind
51 a motor vehicle, and semitrailers when towed alone, whose
52 over-all length, in both cases, including towing vehicle and
53 load, does not exceed thirty feet, when on the roads of this
54 state at night, shall carry at the front of its left side one lamp
55 capable of throwing a white light visible from both sides of
56 such vehicle.

57 Every horsedrawn vehicle, when on any road at night, shall
58 display a light visible from every direction for at least two
59 hundred feet.

60 Every motor vehicle, tractor trailer or semitrailer, when
61 on the roads of this state, at night, shall have on the rear
62 thereof, and to the left of the axis thereof, one lamp capable
63 of displaying a red light visible for a distance of at least one
64 hundred feet behind such vehicle: *Provided*, That when a
65 vehicle is used in conjunction with another vehicle or vehicles,
66 only the last of such vehicles shall be required to carry such
67 a lamp. Every motor vehicle, tractor trailer and semitrailer

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68 when on any road of this state, at night, shall carry a lamp
69 illuminating with white light the registration plate of such
70 vehicle, so that the characters thereon shall be visible for a
71 distance of at least fifty feet. The commissioner shall have
72 power to make and enforce reasonable regulations regarding
73 the kind of lighting devices that shall be used on vehicles.

74 Trailers having more than two wheels, when operated on
75 any road in this state, shall be connected to the towing ve-
76 hicle, or preceding trailers, by at least one chain, in addition
77 to the hitch bar, of sufficient strength to hold the trailer on
78 a hill if the hitch bar becomes disconnected, or shall be
79 provided with some other adequate device to prevent rolling
80 backward down hill.

81 The commissioner shall also prepare a list as of January
82 first of each year showing the vehicles registered in each
83 county of the state, the name and address of the owner, and
84 the make and year model of the vehicle. A certified list
85 for each county shall be forwarded to the assessor thereof
86 on or before the first day of February of the year one thou-
87 sand nine hundred thirty-four and on the first day of Decem-
88 ber of each year thereafter. When, on the list furnished any

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Henry A. Johnson

Chairman House Committee.

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89 assessor, there appears the name of any person whose post
90 office address is in the county for which the list applies but
91 whose residence is in another county, the assessor shall send to
92 the assessor of the county of such person's residence the infor-
93 mation given by the submitted list.

94 Any person violating any of the provisions of this section
95 shall be deemed guilty of a misdemeanor, and, upon convic-
96 tion thereof, shall be fined not less than ten nor more than one
97 hundred dollars.

98 If any section, clause, sentence, paragraph, or other part
99 hereof shall for any reason be adjudged by any court of
100 competent jurisdiction to be invalid, such judgment shall
101 not affect, impair or invalidate the remainder hereof, but
102 shall be confined in its operation to the part hereof directly
103 involved in the controversy in which such judgment shall be
104 rendered.

Mrs. Hazel E. Hazel
.....
Chairman Senate Committee.

Wm. E. Fisher
.....
Speaker of the House of Delegates.

Geo. S. Wolf
.....
Clerk of the House of Delegates.

Wm. M. Rainey
.....
President of the Senate.

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James L. Smith
.....
Chairman House Committee.

Wm. D. Smith
.....
Clerk of the Senate.

The within is..... *approved*

this..... *22⁵* day of..... *March*, 1934.

W. B. Camp
.....
Governor.