

Rec., Mar. 19, 1934

ENROLLED BILL
(SECOND EXTRAORDINARY SESSION, 1933)

House Bill No. 354

(By Mr. Poling)

Passed March 16th 1934

In Effect from Passage

Originated in the

Takes effect

House of Delegates

Passage

Geo. A. Hall
Clerk of House of Delegates.

Geo. A. Hall
Clerk.

CORRECTLY ENROLLED

Mrs. Hazel E. Styer
Chairman Senate Committee.

James L. Smith
Chairman House Committee.

ENROLLED BILL

(H. B. No. 354)

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

AN ACT to amend and reenact section twenty-(b), article six, chapter sixty, acts of the Legislature of West Virginia, first extraordinary session, one thousand nine hundred thirty-three, relating to weight of loads on motor vehicles.

Be it enacted by the Legislature of West Virginia:

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

Sec. 20-(b). For purpose of registration of and determining of all fees to be paid for operation of vehicles in transportation of property, the manufacturer's rated capacity of any such vehicle will be accepted: *Provided*, That if the manufacturer warrant or guarantee such vehicle for a capacity greater than such rated capacity, then such warranted capacity

CORRECTLY ENROLLED

James L. Smith
Henry A. Rogers

Chairman House Committee.

Chairman Senate Committee.

7 shall be taken and considered as the rated capacity of such
8 vehicle.

9 No vehicle, except by special permit as provided in section
10 twenty, article eight, chapter seventeen of the code, one thousand
11 nine hundred thirty-one, shall be operated upon any public high-
12 way of this state, or upon any street or alley within any munici-
13 pality within this state, with a load thereon more than one hun-
14 dred per cent greater than the capacity for which such vehicle
15 is registered if such vehicle is registered for a capacity not ex-
16 ceeding two tons, or fifty per cent if such vehicle is registered
17 for a capacity in excess of two tons and not exceeding four tons;
18 or twenty-five per cent if such vehicle is registered for a capacity
19 exceeding four tons: *Provided*, That the foregoing provisions of
20 this section shall not apply to trucks of two tons or less rated
21 capacity transporting agricultural products, live stock or timber
22 and timber products, including bark and pulp wood. Any
23 violation of this provision shall be a misdemeanor, and upon
24 conviction thereof any owner or operator shall be fined not
25 less than twenty-five dollars nor more than two hundred
26 dollars for the first offense and upon any subsequent offense
27 occurring within the same licensing year, a fine of not less

CORRECTLY ENROLLED

James E. Smith

Chairman House Committee.

James A. Smith

Chairman Senate Committee.

Enrolled H. B. No. 354]

3

28 than fifty dollars nor more than five hundred dollars shall be
29 imposed and the operator's or chauffeur's license of the oper-
30 ator may be revoked and the registration plates of such vehicle
31 so overloaded shall be surrendered by the owner and cancelled
32 by the commissioner.

Alvin S. Hines
.....
Speaker of the House of Delegates.

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

P. H. Maines
.....
President of the Senate.

Samuel A. King
.....
Clerk of the Senate.

The within is.....

this.....day of....., 1934.

.....
Governor.

Chairman Senate Committee.

James D. Smith
Chairman House Committee.

CORRECTLY ENROLLED

Filed in the office of the Secretary of State
of West Virginia MAR 26 1934

Wm. S. O'BRIEN,
Secretary of State