WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1937

ENROLLED

HOUSE BILL No. 357

(By Mr. Speaker, Mr. Thomas)

PASSED March 12, 1937

In Effect from Passage
AN ACT to provide for the establishment by the department of
public safety of a radio broadcasting system in the state for
police purposes, and for the operation and maintenance of the
same.

Be it enacted by the Legislature of West Virginia:

Section 1. Superintendent of Department of Public Safety

2 Empowered to Establish One or More Radio Broadcasting

3 Stations. The superintendent of the department of public

4 safety is authorized and empowered to establish one or more

5 radio broadcasting stations in the state, one of which shall

6 be in the city of Charleston. The station or stations shall be

7 used for police purposes only. The superintendent is further

8 authorized and empowered to provide for the purchase of the
necessary apparatus and equipment, and of materials for the
construction and maintenance of the station or stations.

Sec. 2. Superintendent Responsible for Operation; Sher-
iffs May Apply for Receiving Sets; Municipalities May PUR-
 chase Sets. The superintendent of the department of public
safety shall be responsible for the operation, maintenance and
conduct of the station or stations.

The sheriff of any county in the state may apply to the
superintendent for a radio receiving set to be used in the
county. If the superintendent approves the application, he
shall furnish the receiving set without cost. The expense
of operating and maintaining such a receiving set shall be
upon the county, and the sheriff shall be responsible for the
proper care thereof. But the receiving set so furnished shall
remain the property of the state.

A municipality of the state may, with the approval of the
superintendent, purchase such radio receiving sets from the
state at cost.

Sec. 3. Broadcast Police Dispatches; Sheriffs and Police
to Report. The superintendent of the department of public
safety shall broadcast all police dispatches and reports sub-
mitted which, in his opinion, have a reasonable relation to or connection with the apprehension of criminals, the prevention of crime, or the maintenance of peace, safety and order in the state.

It shall be the duty of every sheriff and of the police authorities of every municipality to report to the superintendent such information as he may request and at the times and in the form requested.

Sec. 4. Telegraph and Telephone Companies to Give Priority to All Calls to State Police. Every telegraph and telephone company operating in this state shall give priority to all messages or calls directed to the state police radio station or stations provided for in this act. A person responsible for failure to do so shall be guilty of a misdemeanor and upon conviction thereof fined not to exceed five hundred dollars.

Sec. 5. Application Necessary Before Buying Short Wave Receiving Set. A person desiring to equip a motor vehicle with a short-wave radio receiving set to be used in this state shall first make written application to the superintendent of the department of public safety for a permit to do so. Such a permit shall not be transferable.
A person who equips a motor vehicle with such a receiving set without the permit herein required, or who operates or knowingly possesses such a set in a motor vehicle when a permit has not been granted, shall be guilty of a misdemeanor punishable by a jail sentence not exceeding one year, or by a fine of not more than five hundred dollars, or both such fine and imprisonment in the court's discretion.

But the provisions of this section shall not apply to vehicles used by police officers, sheriffs and other law enforcement officers.

Further, the provisions of this section shall not apply to mobile radio stations licensed by the federal communications commission, nor registered professional communications engineers engaged in the pursuit of their profession.

Sec. 6. Superintendent to Determine Location of Stations.

The superintendent of the department of public safety is empowered to authorize a state-wide survey, and to seek cooperation of the federal communications commission in the survey, to determine suitable locations for the state radio station or stations provided for in this act.

Sec. 7. Superintendent may Employ Staffs of Radio Sta-
tions. The superintendent of the department of public safety may employ radio engineers, radio operators, assistants, and radio maintenance men, necessary to effectuate the purposes of this act.

The cost of the establishment, operation, and maintenance of the state radio station or stations, and the cost of the receiving sets furnished to the counties shall be subject to the funds available therefor.

Sec. 8. Superintendent to Have Power to Make Rules and Regulations. The superintendent of the department of public safety shall have authority to prescribe and promulgate reasonable rules and regulations to carry out the purposes of this act.

Sec. 9. Justices of the peace shall have concurrent jurisdiction with other courts in the enforcement of this act.

Sec. 10. Provisions of Act Severable. The provisions of this act shall be construed as severable, and if any part is held to be unconstitutional, or for any other reason invalid, the remaining provisions shall not be affected.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the

Takes effect

Clerk of the Senate

Clerk of the House of Delegates

The within day of

Governor.

Furnished to the office of the Secretary of State

of West Virginia.

Wm. S. O'Brien,

Secretary of State