

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1937



ENROLLED

HOUSE BILL No. 357

(By Mr. Speaker, Mr. Thomas)



PASSED March 12, 1937

In Effect from Passage

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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

9 necessary apparatus and equipment, and of materials for the
10 construction and maintenance of the station or stations.

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

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

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

Sec. 3. *Broadcast Police Dispatches; Sheriffs and Police*
2 *to Report.* The superintendent of the department of public
3 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.

7 A person who equips a motor vehicle with such a receiving
8 set without the permit herein required, or who operates or
9 knowingly possesses such a set in a motor vehicle when a per-
10 mit has not been granted, shall be guilty of a misdemeanor
11 punishable by a jail sentence not exceeding one year, or by a
12 fine of not more than five hundred dollars, or both such fine
13 and imprisonment in the court's discretion.

14 But the provisions of this section shall not apply to ve-
15 hicles used by police officers, sheriffs and other law enforce-
16 ment officers.

17 Further, the provisions of this section shall not apply to
18 mobile radio stations licensed by the federal communications
19 commission, nor registered professional communications en-
20 gineers engaged in the pursuit of their profession.

Sec. 6. Superintendent to Determine Location of Stations.

2 The superintendent of the department of public safety is em-
3 powered to authorize a state-wide survey, and to seek cooper-
4 ation of the federal communications commission in the sur-
5 vey, to determine suitable locations for the state radio station
6 or stations provided for in this act.

Sec. 7. Superintendent may Employ Staffs of Radio Sta-

2 *tions.* The superintendent of the department of public saf-
3 ety may employ radio engineers, radio operators, assistants,
4 and radio maintenance men, necessary to effectuate the pur-
5 poses of this act.

6 The cost of the establishment, operation, and maintenance
7 of the state radio station or stations, and the cost of the re-
8 ceiving sets furnished to the counties shall be subject to the
9 funds available therefor.


Sec.8. *Superintendent to Have Power to Make Rules and*
2 *Regulations.* The superintendent of the department of pub-
3 lic safety shall have authority to prescribe and promulgate
4 reasonable rules and regulations to carry out the purposes
5 of this act.

Sec. 9. Justices of the peace shall have concurrent juris-
2 diction with other courts in the enforcement of this act.

Sec. 10. *Provisions of Act Severable.* The provisions of
2 this act shall be construed as severable, and if any part is
3 held to be unconstitutional, or for any other reason invalid,
4 the remaining provisions shall not be affected.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

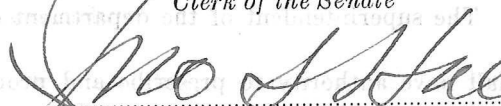

Chairman Senate Committee

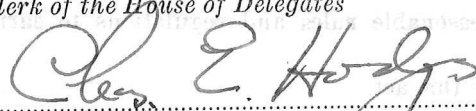

Chairman House Committee

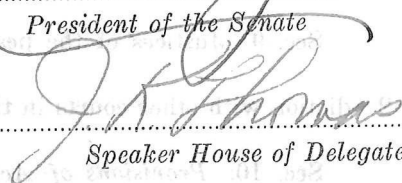
Originated in the.....

Takes effect.....passage.


Clerk of the Senate



Clerk of the House of Delegates


President of the Senate


Speaker House of Delegates

The within  this the 

day of , 1937.


Governor.

Filed in the office of the Secretary of State
of West Virginia. **MAR 19 1937**

Wm. S. O'BRIEN,
Secretary of State