WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1955

ENROLLED

HOUSE BILL No. 415

(By Mr. Committee on Judiciary)

PASSED March 11, 1955
In Effect

Filed in the Office of the Secretary of State of West Virginia
MAR 17, 1955
D. PITI O'BRIEN
SECRETARY OF STATE
ENROLLED

House Bill No. 415

(Originating in the Committee on the Judiciary.)

[Passed March 11, 1955; in effect ninety days from passage.]

AN ACT to amend and reenact section fifteen, chapter one hundred thirty-nine, acts of the Legislature, one thousand nine hundred forty-seven, relating to the administration, policing and general supervision and control of turnpike projects, and providing penalties for violations of the provisions hereof.

Be it enacted by the Legislature of West Virginia:

That section fifteen, chapter one hundred thirty-nine, acts of the Legislature, regular session, one thousand nine hundred forty-seven, be amended and reenacted to read as follows:

Section 15. Miscellaneous, Damage to Property, Other 2 Public Agencies and Political Subdivisions, Policing Turnpike Projects, Department of Public Safety, Avoidance of
4 Tolls and Trespassing a Misdemeanor.—All private property damaged or destroyed in carrying out the powers granted by this act shall be restored or repaired and placed in its original condition as nearly as practicable or adequate compensation made therefor out of funds provided under the authority of this act.

All counties, cities, villages, townships and other political subdivisions and all public agencies and commissions of the state of West Virginia, notwithstanding any contrary provision of law, are hereby authorized and empowered to lease, lend, grant or convey to the commission at its request upon such terms and conditions as the proper authorities of such counties, cities, villages, townships, other political subdivisions or public agencies and commissions of the state may deem reasonable and fair and without the necessity for any advertisement, order of court or other action or formality, other than the regular and formal action of the authorities concerned, any real property which may be necessary or convenient to the effectuation of the authorized purposes of the com-
mission, including public roads and other real property
already devoted to public use.

Each turnpike project when constructed and opened to
traffic shall be maintained and kept in good condition and
repair by the commission. The turnpike commission and
the superintendent of the department of public safety
may by agreement provide that such project or projects
shall be policed by members of the department under
such terms and conditions as they may determine, ex-
cepting that all costs thereof, either direct or indirect,
including overhead costs attributable thereto, shall be
paid unto the department by the commission at regular
intervals not to exceed one year.

Whoever shall knowingly or intentionally defraud or
attempt to defraud the commission, any of its tolltakers
or employees in regard to the payment of toll established
by the commission for the use of any such project or
evade or attempt to evade or whoever shall aid another
to evade or attempt to evade the payment of such toll or
whoever shall intentionally and knowingly trespass upon
such a turnpike project shall be guilty of a misdemeanor;
and for every such offense shall upon conviction thereof
be fined not in excess of fifty dollars. Justices of the peace
shall have jurisdiction of misdemeanors created by this
paragraph concurrently with circuit courts.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the House of Delegates

Takes effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within approved this the 16th day of March, 1955.

Governor

Filed in the Office of the Secretary of State

of West Virginia

D. Pitt O'Brien
SECRETARY OF STATE