

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1955

ENROLLED

HOUSE BILL No. 415

(By Mr. Committee on Judiciary)

PASSED March 11 1955

In Effect unity day for Passage

Filed in the Office of the Secretary of State
of West Virginia MAR 17 1955

D. PITT 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 Turn-*

3 *pike Projects, Department of Public Safety, Avoidance of*

4 *Tolls and Trespassing a Misdemeanor.*—All private prop-
5 erty damaged or destroyed in carrying out the powers
6 granted by this act shall be restored or repaired and
7 placed in its original condition as nearly as practicable
8 or adequate compensation made therefor out of funds
9 provided under the authority of this act.

10 All counties, cities, villages, townships and other politi-
11 cal subdivisions and all public agencies and commissions
12 of the state of West Virginia, notwithstanding any con-
13 trary provision of law, are hereby authorized and em-
14 powered to lease, lend, grant or convey to the commission
15 at its request upon such terms and conditions as the
16 proper authorities of such counties, cities, villages, town-
17 ships, other political subdivisions or public agencies and
18 commissions of the state may deem reasonable and fair
19 and without the necessity for any advertisement, order
20 of court or other action or formality, other than the
21 regular and formal action of the authorities concerned,
22 any real property which may be necessary or convenient
23 to the effectuation of the authorized purposes of the com-

24 mission, including public roads and other real property
25 already devoted to public use.

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

37 Whoever shall knowingly or intentionally defraud or
38 attempt to defraud the commission, any of its tolltakers
39 or employees in regard to the payment of toll established
40 by the commission for the use of any such project or
41 evade or attempt to evade or whoever shall aid another
42 to evade or attempt to evade the payment of such toll or
43 whoever shall intentionally and knowingly trespass upon
44 such a turnpike project shall be guilty of a misdemeanor;

45 and for every such offense shall upon conviction thereof
46 be fined not in excess of fifty dollars. Justices of the peace
47 shall have jurisdiction of misdemeanors created by this
48 paragraph concurrently with circuit courts.

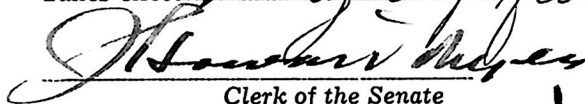
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.


Chairman Senate Committee

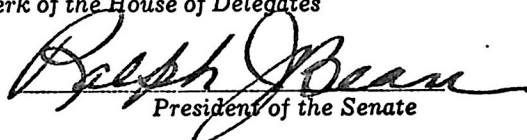

Chairman House Committee

Originated in the House of Delegates

Takes effect sunidg day from passage.

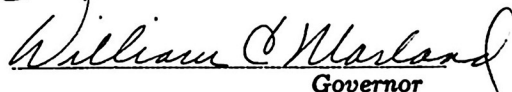

Clerk of the Senate


Clerk of the House of Delegates


President of the Senate


Speaker House of Delegates

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


Governor



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of West Virginia

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D. PITT O'BRIEN
SECRETARY OF STATE