WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1959

ENROLLED

SENATE BILL NO. 356

(By Mr. Bean, Mr. President, and Mr. Reed)

PASSED March 13, 1959

In Effect From Passage

Filed in Office of the Secretary of State of West Virginia MAR 20 1959
JOE F. BURDETT SECRETARY OF STATE
AN ACT to amend and reenact section ten, article seventeen, chapter seventeen-c of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to weighing of motor vehicles and the removal or rearrangement of excess loads.

Be it enacted by the Legislature of West Virginia:

That section ten, article seventeen, chapter seventeen-c of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

Section 10. Officers May Weigh Vehicles and Require Removal or Rearrangement of Excess Loads.—(a) Any
police officer or employee of the state road commission
designated by the state road commissioner as a member
of an official weighing crew, having reason to believe that
the weight of a vehicle and load is unlawful is authorized
to require the driver to stop and submit to a weighing of
the same by means of either portable or stationary scales
and may require that such vehicle be driven to the near-
est public scale in the event such scales are within two
miles.

(b) Whenever an officer, or employee of the state road
commission designated by the state road commissioner as
as member of an official weighing crew, upon weighing a
vehicle and load, as above provided, determines that the
weight is unlawful, such officer may require the driver to
stop the vehicle in a suitable place and remain standing
until such portion of the load is removed or rearranged
as may be necessary to reduce the gross weight or axle
loads of such vehicle to such limit as permitted under this
chapter. All material so unloaded shall be cared for by the
owner or operator of such vehicle at the risk of such owner
or operator.
(c) Any driver of a vehicle who fails or refuses to stop and submit the vehicle and load to a weighing, or who fails or refuses when directed by an officer, or by an officer or employee of the state road commission, designated as a member of the weighing crew by the state road commissioner, upon a weighing of the vehicles to stop the vehicle and otherwise comply with the provisions of this section, shall be guilty of a misdemeanor: Provided, however, That no criminal charge shall be preferred against any driver, operator, or owner of a vehicle when it would appear that a rearrangement of the load upon the vehicle, without removal therefrom, would reduce the axle loads of said vehicle to such limit as is permitted under this chapter.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Eudora Andrews
Chairman House Committee

Originated in the Senate.

Takes effect From passage.

Clerk of the Senate

Clerk of the House of Delegates

Ralph J. Bean
President of the Senate

Speaker House of Delegates

The within Victory this the 20th day of March, 1959.

Governor