

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

356 (VETOED)

ENROLLED

Senate Bill No. 356

(By MR. BEAN, MR. PRESIDENT, AND MR. REED)

[Passed March 13, 1959; in effect from passage.]

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*


2 *Removal or Rearrangement of Excess Loads.—(a) Any*

3 police officer or employee of the state road commission
4 designated by the state road commissioner as a member
5 of an official weighing crew, having reason to believe that
6 the weight of a vehicle and load is unlawful is authorized
7 to require the driver to stop and submit to a weighing of
8 the same by means of either portable or stationary scales
9 and may require that such vehicle be driven to the near-
10 est public scale in the event such scales are within two
11 miles.

12 (b) Whenever an officer, or employee of the state road
13 commission designated by the state road commissioner as
14 as member of an official weighing crew, upon weighing a
15 vehicle and load, as above provided, determines that the
16 weight is unlawful, such officer may require the driver to
17 stop the vehicle in a suitable place and remain standing
18 until such portion of the load is removed or rearranged
19 as may be necessary to reduce the gross weight or axle
20 loads of such vehicle to such limit as permitted under this
21 chapter. All material so unloaded shall be cared for by the
22 owner or operator of such vehicle at the risk of such owner
23 or operator.

24 (c) Any driver of a vehicle who fails or refuses to stop
25 and submit the vehicle and load to a weighing, or who fails
26 or refuses when directed by an officer, or by an officer or
27 employee of the state road commission, designated as a
28 member of the weighing crew by the state road commis-
29 sioner, upon a weighing of the vehicles to stop the vehicle
30 and otherwise comply with the provisions of this section,
31 shall be guilty of a misdemeanor: *Provided, however,* That
32 no criminal charge shall be preferred against any driver,
33 operator, or owner of a vehicle when it would appear that
34 a rearrangement of the load upon the vehicle, without re-
35 moval therefrom, would reduce the axle loads of said ve-
36 hicle to such limit as is permitted under this chapter.

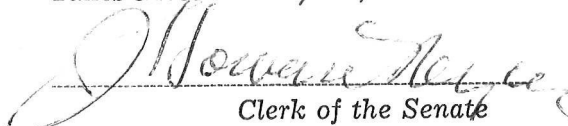
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.


Chairman Senate Committee

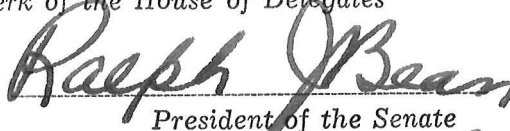

Chairman House Committee

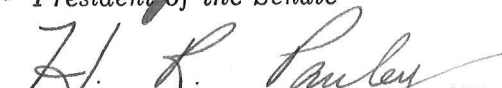
Originated in the Senate.

Takes effect From passage.


Clerk of the Senate


Clerk of the House of Delegates


President of the Senate


Speaker House of Delegates

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

Governor

