WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1961

ENROLLED

HOUSE BILL No. 87

(By Mr....

PASSED March 7th, 1961
In Effect

Filed in Office of the Secretary of State
of West Virginia March 16, 1961
JOE F. BURDETT SECRETARY OF STATE
ENROLLED

House Bill No. 82
(By Mr. Slonaker)

[Passed March 7, 1961; in effect ninety days 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 motor vehicles and 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, Measure, etc., 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, may require the driver of any vehicle or combination of vehicles on
any highway to stop and submit such vehicle or combination of vehicles to a weighing with portable or stationary weighing devices, or submit such vehicle or combination of vehicles to a measuring or to any other examination necessary to determine if such vehicle or combination of vehicles is in violation of any of the provisions of this article, and may require that such vehicle or combination of vehicles be driven to the nearest weighing device in the event such weighing device is within two miles.

(b) Whenever an officer or a member of an official weighing crew determines that a vehicle or combination of vehicles is in violation of any of the provisions of this article, he may require the driver to stop such vehicle or combination of vehicles in a suitable place to remain standing until such vehicle or combination of vehicles is brought into conformity with the provisions violated.

In the case of a weight violation all material unloaded shall be cared for by the owner, lessee or borrower of such vehicle or combination of vehicles at the risk of such owner, lessee or borrower: Provided, however, That
no criminal charge shall be preferred against any driver,
operator, or owner of a vehicle when a rearrangement of
the load upon the vehicle, without removal therefrom,
reduces the axle loads of said vehicle to such limit as is
permitted under this chapter.

(c) Any driver of a vehicle or combination of vehicles
who fails or refuses to comply with any requirement or
provision of this section shall be guilty of a misdemeanor.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

[Signature]
Chairman Senate Committee

[Signature]
Chairman House Committee

Originated in the House.

Takes effect ninety days from passage.

[Signature]
Clerk of the Senate

[Signature]
Clerk of the House of Delegates

[Signature]
President of the Senate

[Signature]
Speaker House of Delegates

The within approved this the 16th day of March, 1961.

[Signature]
Governor