

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1962

ENROLLED

SENATE BILL NO. 17

(By Mr. *Carson, Mr. President,*
and Mr Smith)

PASSED February 3 1962

In Effect From Passage



Filed in Office of the Secretary of State
of West Virginia FEB 10 1962

JOE F. BURDETT
SECRETARY OF STATE

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ENROLLED

Senate Bill No. 17

(By MR. CARSON, MR. PRESIDENT, AND MR. SMITH)

[Passed February 3, 1962; in effect from passage.]

AN ACT to amend and reenact section eleven, article seven-
teen, chapter seventeen-c of the code of West Virginia, one
thousand nine hundred thirty-one, as amended, relating
to traffic regulations by the state road commissioner.

Be it enacted by the Legislature of West Virginia:

That section eleven, 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 11. Permits for Excess Size and Weight.—(a)

- 2 The state road commissioner may, in his discretion, upon
- 3 application in writing and good cause being shown there-
- 4 for issue a special permit in writing authorizing, (1) The

(like) office
(2-17-72)

5 applicant, in crossing any highway of this state, to op-
6 perate or move a vehicle or combination of vehicles of
7 a size or weight or load exceeding the maximum speci-
8 fied in this chapter or otherwise not in conformity with
9 the provisions of this chapter, whether such operation be
10 continuous or not, provided such applicant shall agree to
11 compensate the state road commission for all damages
12 or expenses incurred in connection with such crossing;
13 and (2) The applicant to operate or move a vehicle or
14 combination of vehicles of a size or weight of vehicles
15 or load exceeding the maximum specified in this chapter
16 or otherwise not in conformity with the provisions of
17 this chapter, except that a permit shall not be issued for
18 continuous operation of a vehicle not in conformity with
19 the provisions of this article relating to weight limita-
20 tions: *Provided, however,* That specially designed vehicles
21 which can only be used to transport and haul specific
22 liquid or semiliquid products and which were registered
23 in this state prior to the first day of July, one thousand
24 nine hundred fifty-one, shall be exempt from the pro-
25 visions of this chapter relating to weight limitations un-

26 til the first day of July, one thousand nine hundred sixty-
27 six, and on and after the latter said date said exemptions
28 shall not apply. In order for the exemption to apply during
29 the period of exemption, the owner or operator shall ap-
30 ply for, and the state road commissioner shall issue, a
31 permit for such vehicle allowing such owner or operator
32 to use the same upon the highways of this state during
33 said period.

34 (b) The application for any such permit shall speci-
35 fically describe the vehicle or vehicles and load to be op-
36 erated or moved along or across such highway and the
37 particular highway or crossing of the highway for which
38 permit to operate is requested, and whether such permit
39 is requested for a single trip or for a continuous opera-
40 tion.

41 (c) The state road commissioner is authorized to is-
42 sue or withhold such permits at his discretion; or, if such
43 permit is issued, to limit the number of trips, or to estab-
44 lish seasonal or other time limitations within which the
45 vehicles described may be operated on or across the high-
46 ways indicated, or otherwise to limit or prescribe condi-

47 tions of operation of such vehicle or vehicles, when nec-
48 cessary to assure against undue damage to the road foun-
49 dations, surface, or structures, and may require such un-
50 dertaking, bond or other security as may be deemed neces-
51 sary to compensate for any injury to any roadway struc-
52 ture.

53 (d) Every such permit shall be carried in the vehicle
54 or combination of vehicles to which it refers and shall
55 be open to inspection by any police officer or authorized
56 agent of the state road commissioner granting such per-
57 mit, and no person shall violate any of the terms or con-
58 ditions of such special permit.

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

Harold Davis
Chairman Senate Committee

Mrs. A. H. Withrow
Chairman House Committee

Originated in the Senate.

Takes effect *From* passage.

Howard Meyer
Clerk of the Senate

C. A. Blankenship
Clerk of the House of Delegates

Howard W. Carson
President of the Senate

Julius W. Sneyd
Speaker House of Delegates

The within *approved* this the *ten*th day of *February*, 1962.

Tom Barron
Governor

