

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1965



ENROLLED

HOUSE BILL No. 789

(By Mr. Reindexter ^{by} Mr. Pawley, of McDonnell)



PASSED March 13 1965

In Effect ninety days from Passage



FILED IN THE OFFICE OF
JOE R. TOLBERT
SECRETARY OF STATE
THIS DATE 3-19-65

686 #

ENROLLED

House Bill No. 789

(By MR. POINDEXTER and MR. PAULEY, of McDowell)

[Passed March 13, 1965; in effect ninety days from passage.]

AN ACT to amend article two, chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section thirteen-i, relating to the acquisition, construction and regulation of parking facilities at the colleges and universities under the control and management of the state board of education.

Be it enacted by the Legislature of West Virginia:

That article two, chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section thirteen-i, to read as follows:

Article 2. State Board of Education.**Section 13-i. Acquisition and Operation of Parking**

2 **Facilities.**—The state board of education is hereby au-
3 thorized to construct, maintain and operate automobile
4 parking facilities upon any premises owned or leased at
5 any college or university under its jurisdiction for use
6 by students, faculty, staff and visitors. Such facilities
7 shall be open to use on such terms and subject to such
8 reasonable regulations as may be prescribed by the state
9 board of education. A summary of the regulations shall
10 be posted conspicuously in each parking area.

11 The state board of education shall have authority to
12 charge fees for use of the parking facilities under its
13 control. All moneys collected for such use shall be paid
14 into a special fund which is hereby created in the state
15 treasury. The moneys in such fund shall be used first
16 to pay the cost of maintaining and operating such facili-
17 ties, but any excess not needed for this purpose may be
18 used for the acquisition of property by lease or purchase
19 and the construction thereon of additional parking facili-
20 ties. Any money in the fund not needed immediately for

21 the acquisition, construction, maintenance, or operation
22 of such facilities may be temporarily invested by the
23 institution in the state sinking fund.

24 Whenever a vehicle is parked on any college or uni-
25 versity parking facility in violation of the posted regu-
26 lations, the institution shall have authority to remove
27 the vehicle, by towing or otherwise, to an established
28 garage or parking lot for storage until called for by the
29 owner or his agent. The owner shall be liable for the
30 reasonable cost of such removal and storage, and until
31 payment of such cost the garage or parking lot operator
32 may retain possession of the vehicle subject to a lien for
33 the amount due. Notice to this effect shall be posted
34 conspicuously in each parking area. The garage or park-
35 ing lot operator may enforce his lien for towing and
36 storage in the manner provided in section fourteen, ar-
37 ticle eleven, chapter thirty-eight of this code for the en-
38 forcement of other liens.

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

Chairman Senate Committee

James W. Loop

Chairman House Committee

Originated in the House.

Takes effect ninety days from passage.

Thomas Meyer

Clerk of the Senate

C. A. Blankenship

Clerk of the House of Delegates

Howard W. Carson

President of the Senate

N. Lehan White

Speaker House of Delegates

The within *approved* this the *19*
day of *March*, 1965.

Arnett C. Smith

Governor

