

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1965

ENROLLED

Com. Sub. for  
HOUSE BILL No. 767

(By Mr. *Originating in the Committee*  
*on Roads*)

PASSED *March 2* 1965

In Effect *from* Passage



FILED IN THE OFFICE OF  
JOE F. BURDETT  
SECRETARY OF STATE  
THIS DATE *3-10-65*

*767*  
*#*

**ENROLLED**  
COMMITTEE SUBSTITUTE  
FOR  
**House Bill No. 767**  
(Originating in the Committee on Roads.)

[Passed March 2, 1965; in effect from passage.]

AN ACT to amend article one, chapter seventeen-c of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto four new sections, designated sections fifty-six, fifty-seven, fifty-eight and fifty-nine; and to amend and reenact section four, article seventeen of said chapter; and to further amend said article seventeen by adding thereto a new section, designated section eleven-b, all relating to the height, length and loads of vehicles.

*Be it enacted by the Legislature of West Virginia:*

That article one, chapter seventeen-c of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto four new sections, designated sections fifty-six, fifty-seven, fifty-eight and fifty-nine; that

section four, article seventeen of said chapter be amended and reenacted; and that article seventeen be further amended by adding thereto a new section, designated section eleven-b, all to read as follows:

**Article 1. Words and Phrases Defined.**

**Section 56. Axle Group.**—Axle group means an assemblage of two or more consecutive axles considered together in determining their combined load effect on a bridge or pavement structure. The determination of what constitutes an axle group may include any or all the axles on the vehicle or combination of vehicles.

**Sec. 57. Tandem Axle.**—Tandem axle means any two or more consecutive axles whose centers are more than forty inches but not more than ninety-six inches apart, and are individually attached to and/or articulated from a common attachment to the vehicle including a connecting mechanism designed to equalize the load between axles.

**Sec. 58.—Tandem Axle Weight.**—Tandem axle weight means the total weight transmitted to the road by two or more consecutive axles whose centers may be included

4 between parallel transverse planes spaced more than  
5 forty inches and not more than ninety-six inches apart,  
6 extending the full width of the vehicle.

**Sec. 59. Connecting Mechanism.**—Connecting mecha-  
2 nism means an arrangement of parts interconnecting two  
3 or more consecutive axles to the frame of a vehicle in  
4 such a manner as to equalize the load between axles.

**Article 17. Size, Weight and Load.**

**Section 4. Height and Length of Vehicles and Loads.**—  
2 (a) No vehicle including any load thereon shall exceed  
3 a height of twelve feet six inches, except as provided in  
4 section eleven-b of this article, and except that vehicles  
5 used as automobile transports including any load thereon  
6 shall not exceed a height of thirteen feet six inches, but  
7 the owners of such automobile transports shall be respon-  
8 sible to the state road commission for any damages to  
9 bridges or other road structures and to municipalities and  
10 utility companies for any damage to wire, traffic devices  
11 or other structures, and to any person suffering property  
12 damage when any such damage is proximately caused  
13 by the height of such vehicle or vehicles and load being  
14 in excess of twelve feet six inches.

15 (b) No motor vehicle including any load thereon shall  
16 exceed a length of thirty-five feet extreme overall dimen-  
17 sion, inclusive of front and rear bumpers, except that a  
18 bus, truck or trackless trolley coach equipped with three  
19 axles shall not exceed an overall length, inclusive of front  
20 and rear bumpers, of forty feet.

21 (c) No combination of vehicles coupled together shall  
22 consist of more than two units and no such combination  
23 of vehicles including any load thereon shall have an over-  
24 all length, inclusive of front and rear bumpers, in excess  
25 of fifty feet, except as provided in section eleven-b of  
26 this article, and except as otherwise provided in respect  
27 to the use of a pole trailer as authorized in section five  
28 of this article: *Provided, however,* That the limitation  
29 that no combination of vehicles coupled together shall  
30 consist of more than two units shall not apply to a com-  
31 bination of vehicles coupled together by a saddle mount  
32 device used to transport motor vehicles in a drive-away  
33 service when no more than two saddle mounts are used:  
34 *And provided further,* That equipment used in said com-  
35 bination meets the requirements of the safety regulations  
36 of the interstate commerce commission.

**Sec. 11-b. Authority of State Road Commissioner to**

**2 Increase Height and Length Limitations upon Highways**

**3 Designated by Him.**—If, in the opinion of the state road

**4 commissioner, the design, construction and safety of any**

**5 highway, or portion thereof, are such that the maximum**

**6 height or length limitations prescribed in section four (a)**

**7 and (c) of this article can be increased without undue**

**8 risk of damage to other vehicles lawfully using such high-**

**9 way or portion thereof, to bridges or other road struc-**

**10 tures, and to municipal and utility company facilities,**

**11 wires, traffic devices or other structures, the commissioner**

**12 may, by order, increase the height or length limitations**

**13 or both the height and length limitations of vehicles**

**14 which may be operated upon any such highway, or portion**

**15 thereof, designated by him in such order and may estab-**

**16 lish therein the maximum height and/or length limita-**

**17 tions which shall thereafter be applicable to the highway**

**18 or portion thereof so designated by him: *Provided, how-***

**19 *ever,* That the maximum height of any vehicle including**

**20 any load thereon shall not exceed thirteen feet six inches,**

**21 and the maximum length of any combination of vehicles**

22 including any load thereon shall not exceed fifty-five feet,  
23 except as otherwise provided in this article with respect  
24 to the size of vehicles: *And provided further*, That no such  
25 order of the commissioner shall establish any height or  
26 length limitation in excess of or in conflict with any height  
27 or length limitation prescribed by or pursuant to acts of  
28 Congress with respect to federal-aid highway systems.

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

*O. Roy Parker*

Chairman Senate Committee

*James W. Loop*

Chairman House Committee

Originated in the House.

Takes effect from passage.

*Thomas Keegan*

Clerk of the Senate

*C. A. Blankenship*

Clerk of the House of Delegates

*Howard W. Hanson*

President of the Senate

*H. Laban White*

Speaker House of Delegates

The within approved this the 10  
day of March, 1965.

*Hubert C. Smith*

Governor





Presented to Governor's Office  
Mar. 6, 1965  
9:55 a.m.