

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1972

ENROLLED

HOUSE BILL No. 622

(By Mr. White, Cabell and Mr. Rosine)

PASSED March 10 1972

In Effect from Passage

OFFICE OF
SECRETARY OF STATE
WEST VIRGINIA

MAR 29 11 37 PM '72



FILED IN THE OFFICE
JOHN D. CONNELL, IV
SECRETARY OF STATE
THIS DATE 3-29-72

622

ENROLLED

House Bill No. 622

(By MR. WHITE, of Cabell and MR. ROMINE)

[Passed March 10, 1972; in effect from passage.]

AN ACT to amend and reenact section one, article two, chapter seventeen-b of the code of West Virginia, one thousand **nine** hundred thirty-one, as amended; and to amend and reenact sections one and three, article two, chapter seventeen-c of said code, all relating to motor vehicle operators' and chauffeurs' licenses and their issuance, expiration and renewal; traffic regulations and laws of the road, obedience to and effect of traffic laws, their application and enforcement; and penalties.

Be it enacted by the Legislature of West Virginia:

That section one, article two, chapter seventeen-b of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted; and that sections one and three, article two, chapter seventeen-c of said code be amended and reenacted, all to read as follows:

**CHAPTER 17B. MOTOR VEHICLE OPERATORS'
AND CHAUFFEURS' LICENSES.**

**ARTICLE 2. ISSUANCE OF LICENSE, EXPIRATION AND RE-
NEWAL.**

§17B-2-1. Operators and chauffeurs must be licensed; chauffeur licensee need not procure operator's license; licensees need not obtain local government license.

- 1 No person, except those hereinafter expressly exempted,
- 2 shall drive any motor vehicle upon a street or highway
- 3 in this state or upon any subdivision street, as used in

4 article twenty-four, chapter eight of this code, when
5 the use of such subdivision street is generally used by
6 the public unless the person has a valid license as an
7 operator or chauffeur under the provisions of this chapter.

8 No person shall drive a motor vehicle as a chauffeur
9 unless he holds a valid chauffeur's license. No person
10 shall receive a chauffeur's license unless and until he
11 surrenders to the department any operator's license issued
12 to him or an affidavit that he does not possess an opera-
13 tor's license.

14 Any person holding a valid chauffeur's license here-
15 under need not procure an operator's license.

16 Any person licensed as an operator or chauffeur as
17 provided in this chapter may exercise the privilege
18 thereby granted as provided in this chapter and, except
19 as otherwise provided by law, shall not be required to
20 obtain any other license to exercise such privilege by any
21 county, municipality or local board, or body having au-
22 thority to adopt local police regulations.

CHAPTER 17C. TRAFFIC REGULATIONS AND LAWS OF THE ROAD.

ARTICLE 2. OBEDIENCE TO AND EFFECT OF TRAFFIC LAWS.

§17C-2-1. Provisions of chapter refer to vehicles upon streets and highways; exceptions.

1 The provisions of this chapter relating to the opera-
2 tion of vehicles refer exclusively to the operation of
3 vehicles upon streets and highways except:

4 (1) Where a different place is specifically referred to
5 in a given section.

6 (2) The provisions of articles three, four, five, five-a,
7 six, seven, eight, nine, ten, eleven, twelve, thirteen, four-
8 teen, fifteen, sixteen, eighteen and nineteen shall apply
9 upon streets and highways as defined in section one,
10 article two, chapter seventeen-b of this code.

§17C-2-3. Enforcement of chapter; designation and bond of special officers; failure to obey police officer.

1 (a) It shall be the duty of the department of public
2 safety and its members to enforce the provisions of this

3 chapter and other laws of this state governing the opera-
4 tion of vehicles upon the streets and highways of this
5 state as defined in section one, article two, chapter seven-
6 teen-b of this code; and it shall be the duty of sheriffs and
7 their deputies and of the police of cities and towns to
8 render to the department of public safety such assistance
9 in the performance of said duties as the superintendent of
10 the department of public safety may require of them.

11 (b) The West Virginia commissioner of highways is
12 authorized to designate employees of the West Virginia
13 department of highways as special officers to enforce
14 the provisions of this chapter only when such special
15 officers are directing traffic upon bridges and the ap-
16 proaches to bridges which are a part of the state road
17 system when any such bridge needs special traffic direc-
18 tion and the superintendent of the department of public
19 safety has informed the West Virginia commissioner of
20 highways that he is unable to furnish personnel for such
21 traffic direction. The West Virginia commissioner of
22 highways shall provide a blanket bond in the amount of
23 five thousand dollars for any such employee so designated,
24 and for all employees designated as members of official
25 West Virginia department of highways weighing crews.

26 (c) No person shall willfully fail or refuse to comply
27 with any lawful order or direction of any police officer
28 invested by law with authority to direct, control or regu-
29 late traffic.

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

James H. Beale
Chairman Senate Committee

Phyllis J. Rutledge
Chairman House Committee

Originated in the House.

Takes effect from passage.

Howard E. Williams
Clerk of the Senate

VA Blankenship
Clerk of the House of Delegates

E. G. Gorbant
President of the Senate

Leid J. McKenna
Speaker House of Delegates

The within *approved* this the *27th*
March
day of _____, 1972.

Arch A. Shaver Jr.
Governor



3/17/72

1:00 p.m.