WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1974

ENROLLED
SENATE BILL NO. 303

(By Mr. Hubbard)

PASSED March 1, 1974

In Effect ninety days from Passage

303

FILED IN THE OFFICE
EDGAR F. HEISKELL III
SECRETARY OF STATE
THIS DATE 3-9-74
ENROLLED

Senate Bill No. 303
(By Mr. Hubbard)

[Passed March 1, 1974; in effect ninety days from passage.]

AN ACT to amend and reenact section thirteen-h, article two, chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to acquisition, construction and maintenance of parking facilities upon premises of state institutions of higher education; regulation of such parking facilities; regulation of the speed and flow of traffic on campus roadways; filing of such regulations with the secretary of state; penalty for violation.

Be it enacted by the Legislature of West Virginia:

That section thirteen-h, article two, chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 2. STATE BOARD OF EDUCATION.

§18-2-13h. Acquisition and operation of parking facilities at state institutions of higher education; regulation of parking facilities; regulation of speed and flow of traffic on campus roadways; filing of regulations with secretary of state; penalty for violation of regulations.

1 The board of regents is hereby authorized to construct, 2 maintain and operate automobile parking facilities upon 3 any premises owned or leased at any college or university 4 under its jurisdiction for use by student, faculty, staff and 5 visitors. Such facilities shall be open to use on such terms
and subject to such reasonable regulations as may be prescribed by the board of regents. A summary of the regulations shall be posted conspicuously in each parking area and shall be filed with the secretary of state in the manner prescribed by chapter twenty-nine-a of this code, and when so filed shall have the force and effect of law.

The board of regents shall have authority to charge fees for use of the parking facilities under its control. All moneys collected for such use shall be paid into a special fund which is hereby created in the state treasury. The moneys in such fund shall be used first to pay the cost of maintaining and operating such facilities, but any excess not needed for this purpose may be used for the acquisition of property by lease or purchase and the construction thereof of additional parking facilities. Any money in the fund not needed immediately for the acquisition, construction, maintenance or operation of such facilities may be temporarily invested in the state sinking fund to the credit of the institution.

Notwithstanding any other motor vehicle or traffic law or regulation to the contrary, the board of regents is also authorized to regulate and control at any college or university under its jurisdiction, the speed and flow of traffic, including the parking of vehicles, on campus roads and driveways. Rules and regulations for such purpose shall be filed with the secretary of state in the manner prescribed by section one, article two, chapter twenty-nine-a of this code, and when so filed shall have the force and effect of law. The board of regents shall cause to be conspicuously posted along such roadways notice signs pertaining to the speed of vehicles, spaces available for parking, directional flow of traffic and penalties which may be imposed for violations of such rules and regulations.

Any person parking any vehicle or operating a vehicle contrary to the rules and regulations upon conviction shall be subject to a fine of not less than one dollar nor more than five dollars for each offense. Justices of the peace located in the county in which the college or university is located shall have jurisdiction of such offenses, as well as the judge of the municipal police court, in the event the college or university is located within a municipality hav-
ing such an official. Moneys derived from such fines shall be deposited in the special fund established by this section.

Whenever a vehicle is parked on any college or university parking facility or campus roadway in violation of the posted regulations, the institution shall have the authority to remove the vehicle, by towing or otherwise, to an established garage or parking lot for storage until called for by the owner or his agent. The owner shall be liable for the reasonable cost of such removal and storage, and until payment of such cost the garage or parking lot operator may retain possession of the vehicle subject to a lien for the amount due. Notice to this effect shall be posted conspicuously in each parking area. The garage or parking lot operator may enforce his lien for towing and storage in the manner provided in section fourteen, article eleven, chapter thirty-eight of this code, for the enforcement of other liens.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within approved this the 9th day of March, 1974.
PRESENTED TO THE
GOVERNOR

Date 3/5/74
Time 4:38 p.m.