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SECRETARY OF STATE  
STATE OF WEST VIRGINIA

**WEST VIRGINIA LEGISLATURE**  
REGULAR SESSION, 1974



**ENROLLED**

SENATE BILL NO. 303

(By Mr. Hubbard)



PASSED March 1, 1974

In Effect ninety days from Passage



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

303

## ENROLLED

### Senate Bill No. 303

(By MR. HUBBARD)

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

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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

6 and subject to such reasonable regulations as may be pre-  
7 scribed by the board of regents. A summary of the regula-  
8 tions shall be posted conspicuously in each parking area  
9 and shall be filed with the secretary of state in the man-  
10 ner prescribed by chapter twenty-nine-a of this code, and  
11 when so filed shall have the force and effect of law.

12 The board of regents shall have authority to charge fees  
13 for use of the parking facilities under its control. All  
14 moneys collected for such use shall be paid into a special  
15 fund which is hereby created in the state treasury. The  
16 moneys in such fund shall be used first to pay the cost  
17 of maintaining and operating such facilities, but any  
18 excess not needed for this purpose may be used for the  
19 acquisition of property by lease or purchase and the con-  
20 struction thereof of additional parking facilities. Any  
21 money in the fund not needed immediately for the ac-  
22 quisition, construction, maintenance or operation of such  
23 facilities may be temporarily invested in the state sinking  
24 fund to the credit of the institution.

25 Notwithstanding any other motor vehicle or traffic law  
26 or regulation to the contrary, the board of regents is also  
27 authorized to regulate and control at any college or uni-  
28 versity under its jurisdiction, the speed and flow of traffic,  
29 including the parking of vehicles, on campus roads and  
30 driveways. Rules and regulations for such purpose shall  
31 be filed with the secretary of state in the manner pre-  
32 scribed by section one, article two, chapter twenty-nine-a  
33 of this code, and when so filed shall have the force and  
34 effect of law. The board of regents shall cause to be con-  
35 spicuously posted along such roadways notice signs per-  
36 taining to the speed of vehicles, spaces available for park-  
37 ing, directional flow of traffic and penalties which may be  
38 imposed for violations of such rules and regulations.

39 Any person parking any vehicle or operating a vehicle  
40 contrary to the rules and regulations upon conviction shall  
41 be subject to a fine of not less than one dollar nor more  
42 than five dollars for each offense. Justices of the peace  
43 located in the county in which the college or university is  
44 located shall have jurisdiction of such offenses, as well as  
45 the judge of the municipal police court, in the event the  
46 college or university is located within a municipality hav-

47 ing such an official. Moneys derived from such fines shall  
48 be deposited in the special fund established by this section.

49 Whenever a vehicle is parked on any college or univer-  
50 sity parking facility or campus roadway in violation of the  
51 posted regulations, the institution shall have the authority  
52 to remove the vehicle, by towing or otherwise, to an estab-  
53 lished garage or parking lot for storage until called for  
54 by the owner or his agent. The owner shall be liable for  
55 the reasonable cost of such removal and storage, and un-  
56 til payment of such cost the garage or parking lot operator  
57 may retain possession of the vehicle subject to a lien for  
58 the amount due. Notice to this effect shall be posted con-  
59 spicuously in each parking area. The garage or parking  
60 lot operator may enforce his lien for towing and storage  
61 in the manner provided in section fourteen, article eleven,  
62 chapter thirty-eight of this code, for the enforcement of  
63 other liens.

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

H. Darrel Darby  
Chairman Senate Committee

Harold C. Throckmold  
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

Hawai W. Cannon  
Clerk of the Senate  
Q. Blankenship  
Clerk of the House of Delegates

W. D. Brotherton Jr.  
President of the Senate

Lewis H. M. Thomas  
Speaker House of Delegates

The within approved this the 9th  
March day of \_\_\_\_\_, 1974.

Arch A. Moore Jr.  
Governor

PRESENTED TO THE  
GOVERNOR

Date 3/5/74

Time 4:38 p.m.