WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1975

ENROLLED
SENATE BILL NO. 284

(By Mr. )

PASSED __________ 1975

In Effect ninety days from Passage
AN ACT to amend and reenact section eleven, article seventeen, chapter seventeen-c of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to special permits for vehicles of excess size, weight or load; giving the commissioner of highways discretion to specify escort vehicles for such vehicles; and permitting the commissioner to charge a fee for the issuance of such special permits to pay the administrative cost thereof.

Be it enacted by the Legislature of West Virginia:

That section eleven, article seventeen, chapter seventeen-c of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 17. SIZE, WEIGHT AND LOAD.

§17C-17-11. Permits for excess size and weight.

(a) The commissioner of highways may, in his discretion, upon application in writing and good cause being shown therefor issue a special permit in writing authorizing, (1) the applicant, in crossing any highway of this state, to operate or move a vehicle or combination of vehicles of a size or weight or load exceeding the maximum specified in this chapter or otherwise not in conformity with the provisions of this chapter, whether such operation be continuous or not, provided such applicant shall agree to compensate the commissioner of highways for all damages or expenses incurred in connection with
such crossing; and (2) the applicant to operate or move a vehicle or combination of vehicles of a size or weight of vehicles or load exceeding the maximum specified in this chapter or otherwise not in conformity with the provisions of this chapter, except that a permit shall not be issued for continuous operation of a vehicle not in conformity with the provisions of this article relating to weight limitations.

(b) The application for any such permit shall specifically describe the vehicle or vehicles and load to be operated or moved along or across such highway and the particular highway or crossing of the highway for which permit to operate is requested, and whether such permit is requested for a single trip or for a continuous operation.

(c) The commissioner of highways is authorized to issue or withhold such permit at his discretion; or, if such permit is issued, to limit the number of trips, or to establish seasonal or other time limitations within which the vehicles described may be operated on or across the highways indicated, or otherwise to limit or prescribe conditions of operation of such vehicle or vehicles, when necessary to assure against undue damage to the road foundations, surface, or structures, and may require such undertaking, bond or other security as may be deemed necessary to compensate for any injury to any roadway structure and to specify the type, number and the location for escort vehicles for any such vehicle.

The commissioner may charge a fee not to exceed five dollars for the issuance of a permit for a mobile home and a reasonable fee for the issuance of a permit for any other vehicle under the provisions of this section to pay the administrative costs thereof.

(d) Every such permit shall be carried in the vehicle or combination of vehicles to which it refers and shall be open to inspection by any police officer or authorized agent of the commissioner of highways granting such permit, and no person shall violate any of the terms or conditions of such special permit.
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 bill is hereby concurred in by the Governor.

Governor
PRESENTED TO THE GOVERNOR

Date  3/14/75
Time  11:45 a.m.