

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1975

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## ENROLLED

SENATE BILL NO. 284

(By Mr. Rayson)

—•—

PASSED March 8, 1975

In Effect ninty days from Passage

OFFICE OF THE CLERK

**ENROLLED**  
**Senate Bill No. 284**  
(By MR. ROGERSON)

[Passed March 8, 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.**

1     (a) The commissioner of highways may, in his dis-  
2     cretion, upon application in writing and good cause being  
3     shown therefor issue a special permit in writing author-  
4     izing, (1) the applicant, in crossing any highway of this  
5     state, to operate or move a vehicle or combination of  
6     vehicles of a size or weight or load exceeding the maxi-  
7     mum specified in this chapter or otherwise not in con-  
8     formity with the provisions of this chapter, whether such  
9     operation be continuous or not, provided such applicant  
10    shall agree to compensate the commissioner of highways  
11    for all damages or expenses incurred in connection with

12 such crossing; and (2) the applicant to operate or move a  
13 vehicle or combination of vehicles of a size or weight of  
14 vehicles or load exceeding the maximum specified in this  
15 chapter or otherwise not in conformity with the provi-  
16 sions of this chapter, except that a permit shall not be  
17 issued for continuous operation of a vehicle not in con-  
18 formity with the provisions of this article relating to  
19 weight limitations.

20 (b) The application for any such permit shall  
21 specifically describe the vehicle or vehicles and load to be  
22 operated or moved along or across such highway and the  
23 particular highway or crossing of the highway for which  
24 permit to operate is requested, and whether such permit  
25 is requested for a single trip or for a continuous opera-  
26 tion.

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

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

45 (d) Every such permit shall be carried in the vehicle  
46 or combination of vehicles to which it refers and shall be  
47 open to inspection by any police officer or authorized  
48 agent of the commissioner of highways granting such  
49 permit, and no person shall violate any of the terms or  
50 conditions of such special permit.

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

James L. Davis  
Chairman Senate Committee

Clarence C. Christman  
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

Edullong  
Clerk of the Senate

Blankenship  
Clerk of the House of Delegates

W. B. Smith  
President of the Senate

James F. McManis  
Speaker House of Delegates

The within disapproved this the 20th  
day of March, 1975.

Anna A. Shaugh  
Governor

PRESENTED TO THE  
GOVERNOR

Date 3/14/75

Time 11:45 a.m.