

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1978



ENROLLED

SENATE BILL NO. 11

(By Mr. KUSIC & Miss HERNDON)



PASSED February 14 1978

In Effect from Passage


ENROLLED

Senate Bill No. 11

(By MISS HERNDON; and MR. KUSIC, by request)

[Passed February 14, 1978; in effect from passage.]

AN ACT to amend and reenact section thirty-seven, article fifteen, chapter seventeen-c of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to extending the termination date for the period in which studded tires are allowed to be used on highways from the first day of April to the fifteenth day of April each year.

Be it enacted by the Legislature of West Virginia:

That section thirty-seven, article fifteen, 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 15. EQUIPMENT.

§17C-15-37. Tire equipment restrictions; rules and regulations as to certain tires.

- 1 (a) Every solid rubber tire on a vehicle shall have
- 2 rubber on its entire traction surface at least one inch
- 3 thick above the edge of the flange of the entire periphery.
- 4 (b) No person shall operate or move on any highway
- 5 any motor vehicle, trailer or semitrailer having any metal
- 6 tire in contact with the roadway.
- 7 (c) No tire on a vehicle moved on a highway shall have
- 8 on its periphery any block, stud, flange, cleat or spike or
- 9 any other protuberance of any material other than rubber
- 10 which projects beyond the tread of the traction surface of
- 11 the tire, except that (1) it shall be permissible to use
- 12 farm machinery with tires having protuberances which
- 13 will not injure the highway, (2) it shall be permissible to
- 14 use tire chains of reasonable proportions upon any vehicle

15 when required for safety because of snow, ice or other
16 conditions tending to cause a vehicle to skid, and (3) it
17 shall be permissible to use studded tires during the period
18 from November first of each year until April fifteenth of
19 the following year: *Provided*, That in the interest of
20 highway maintenance, no vehicle moved on a highway,
21 other than school buses, shall be equipped with studded
22 tires which are operational with a recommended air
23 pressure greater than forty pounds per square inch.

24 (d) No studded tires or chains shall be sold or used
25 within the state of West Virginia which do not meet the
26 specifications established by the rules and regulations
27 which the commissioner of highways shall promulgate,
28 but the commissioner may not by those rules and regula-
29 tions prohibit the use of studded tires or chains within
30 the state.

31 (e) The commissioner of highways and local authorities
32 in their respective jurisdictions may in their discretion
33 issue special permits authorizing the operation upon the
34 highway of traction engines or tractors having movable
35 tracks with transverse corrugations upon the periphery of
36 such movable tracks or farm tractors or other farm
37 machinery, the operation of which upon a highway would
38 otherwise be prohibited under this chapter.

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

James L. Davis
Chairman Senate Committee

Norman C. Thurston
Chairman House Committee

Originated in the Senate.

To take effect from passage.

J. Dillon Jr
Clerk of the Senate

C. Blankenship
Clerk of the House of Delegates

W. B. Bullock
President of the Senate

Donald L. Topp
Speaker House of Delegates

The within is approved this the 20
day of February 1978.

John R. Rhymer
Governor



RECEIVED

FEB 17 2 44 PM '78

OFFICE OF THE GOVERNOR

APPROVED AND SIGNED BY THE GOVERNOR

Date Feb. 20, 1978

Time 1:00 p.m.