

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1978



## ENROLLED

SENATE BILL NO. 394

(By Mr. Brotherton, Mr. President)



PASSED February 28, 1978

In Effect from Passage



# ENROLLED

## Senate Bill No. 394

(By MR. BROTHERTON, MR. PRESIDENT)

[Passed February 28, 1978; in effect from passage.]

AN ACT to amend article two, chapter twenty-four of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section one-a, relating to the authority of the public service commission to enter and inspect railroad property.

*Be it enacted by the Legislature of West Virginia:*

That article two, chapter twenty-four of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section one-a, to read as follows:

### **ARTICLE 2. POWERS AND DUTIES OF PUBLIC SERVICE COMMISSION.**

#### **§24-2-1a. Authority of commission to enter and inspect railroad property.**

1 The commission or its duly authorized representatives  
2 are hereby authorized and empowered to enter and in-  
3 spect any property, premise or place, owned or operated  
4 by a railroad, whether fixed facilities or rolling stock,  
5 including, but not limited to, locomotives, cars and  
6 cabooses, stationary or in motion, at any reasonable time  
7 for the purpose of ascertaining the state of compliance  
8 with this article and rules and regulations in force pur-  
9 suant thereto. No person shall refuse entry or access to  
10 the commission or any authorized representative of the  
11 commission who requests entry for purposes of inspec-  
12 tion, and who presents appropriate credentials; nor shall  
13 any person obstruct, hamper or interfere with any such  
14 inspection.

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

James L. Davis  
Chairman Senate Committee

Lawrence C. Christman  
Chairman House Committee

Originated in the Senate.

To take effect from passage.

J. C. Dillon Jr.  
Clerk of the Senate

C. A. Blankenship  
Clerk of the House of Delegates

W. F. Blankenship  
President of the Senate

Donald L. Zopp  
Speaker House of Delegates

The within is approved this the 10  
day of March, 1978.

John D. Rorlyke  
Governor

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OFFICE OF THE GOVERNOR

APPROVED AND SIGNED BY THE GOVERNOR

Date March 10, 1978

Time 10:45 A.M.

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OFFICE  
ECY. OF STATE