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APPROVED AND SIGNED BY THE GOVERNOR

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OFFICE OF THE GOVERNOR

Date 3-29-83

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1983

— ● —

# ENROLLED

Com. Sub. for  
HOUSE BILL No. 1839

(By Mr. Yanni)

— ● —

Passed March 9, 1983

In Effect April 1, 1983 ~~Passage~~



**ENROLLED**  
**COMMITTEE SUBSTITUTE**  
**FOR**  
**H. B. 1839**

(By MR. YANNI)

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[Passed March 9, 1983; in effect April 1, 1983.]

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AN ACT to amend and reenact sections two, four and nine, article seventeen, chapter seventeen-c of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the size and weight of certain commercial vehicles operated on the roads and highways of this state; authorizing truck tractor-semitrailer-trailer combinations and truck tractor-semitrailer combinations; exceptions authorized by the United States department of transportation.

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

That sections two, four and nine, 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-17-2. Width of Vehicles.**

- 1 (a) The total outside width, exclusive of safety equipment
- 2 authorized by the United States department of transportation,
- 3 of any vehicle or the load thereon shall not exceed ninety-six
- 4 inches, except as otherwise provided in this article: *Provided,*
- 5 That any vehicle with a total outside width of one hundred

6 two inches, exclusive of safety equipment authorized by the  
7 United States department of transportation, may be operated  
8 on any highway within the state designated by the United States  
9 department of transportation or the commissioner of the de-  
10 partment of highways.

11 (b) Motor buses and trackless trolley coaches with a total  
12 outside width of one hundred two inches, excluding safety  
13 equipment authorized by the United States department of  
14 transportation, may operate on any highway.

**§17C-17-4. Height and length of vehicles and loads.**

1 (a) A vehicle including any load thereon shall not exceed  
2 a height of twelve feet six inches, except as provided in section  
3 eleven-b of this article, and except that vehicles used as auto-  
4 mobile transports including any load thereon shall not exceed  
5 a height of thirteen feet six inches, but the owners of such  
6 automobile transports shall be responsible to the state depart-  
7 ment of highways for any damage to bridges or other road  
8 structures, and to municipalities and utility companies for  
9 any damage to wires, traffic devices or other structures, and  
10 to any person suffering property damage when any such dam-  
11 age is proximately caused by the height of such vehicle or  
12 vehicles and load being in excess of twelve feet six inches.

13 (b) A motor vehicle including any load thereon shall not  
14 exceed a length of thirty-five feet extreme overall dimension,  
15 inclusive of front and rear bumpers, except that any bus,  
16 truck or trackless trolley coach equipped with three axles, any  
17 school bus with two axles or any vehicle used to transport  
18 passengers by an urban mass transportation authority created  
19 pursuant to article twenty-seven, chapter eight of the code  
20 shall not exceed on overall length, inclusive of front and rear  
21 bumpers, of forty feet.

22 (c) Except as hereinafter provided, a combination of ve-  
23 hicles coupled together shall not consist of more than two  
24 units, and no such combination of vehicles including any load  
25 thereon shall have an overall length, inclusive of front and  
26 rear bumpers, in excess of fifty feet, except as provided in  
27 section eleven-b of this article, and except as otherwise pro-

28 vided in respect to the use of a pole trailer as authorized in  
29 section five of this article: *Provided*, That the limitation that  
30 a combination of vehicles coupled together shall not consist of  
31 more than two units shall not apply to a combination of ve-  
32 hicles coupled together by a saddle mount device used to trans-  
33 port motor vehicles in a drive-away service when no more than  
34 two saddle mounts are used: *Provided, however*, That equip-  
35 ment used in said combination meets the requirements of the  
36 safety regulations of the United States department of trans-  
37 portation.

38 (d) The length limitations for truck tractor-semitrailer com-  
39 binations and truck tractor-semitrailer-trailer combinations  
40 operating on the national system of interstate and defense high-  
41 ways and those classes of qualifying federal-aid primary system  
42 highways so designated by the United States secretary of  
43 transportation, and those highways providing reasonable ac-  
44 cess to and from terminals, facilities for food, fuel, repairs and  
45 rest, and points of loading and unloading for household goods  
46 carriers from such highways, and further, as to other high-  
47 ways so designated by the West Virginia commissioner of  
48 highways, shall be as follows: The maximum length of a semi-  
49 trailer unit operating in a truck tractor-semitrailer combination  
50 shall not exceed forty-eight feet in length and the maximum  
51 length of any semitrailer or trailer operating in a truck tractor-  
52 semitrailer-trailer combination shall not exceed twenty-eight  
53 feet in length and in no event shall any combinations exceed  
54 three units, including the truck tractor: *Provided*, That no-  
55 thing herein contained shall impose an overall length limitation  
56 as to commercial motor vehicles operating in truck tractor-  
57 semitrailer or truck tractor-semitrailer-trailer combinations.

**§17C-17-9. Gross weight of vehicles and loads.**

1 (a) It shall be unlawful for any owner, lessee or borrower  
2 of a vehicle or combination of vehicles to operate on any  
3 highway such vehicle or combination of vehicles with a gross  
4 weight in excess of the gross weight for which such vehicle  
5 or combination of vehicles is registered or in excess of any  
6 weight limitation set forth in this chapter, whether such

7 limitation be specifically stated in this chapter or set by  
8 express authority granted in this chapter.

9 (b) Subject to the limit upon the weight imposed upon  
10 the highway through any one axle as set forth in section  
11 eight of this article, or the limit imposed upon the highway  
12 through any tandem-axle as set forth in section eight-a of  
13 this article, the total gross weight with load imposed upon  
14 the highway by any one group of two or more consecutive  
15 axles of a vehicle or combination of vehicles shall not exceed  
16 the gross weight given for the respective distance between  
17 the first and last axle of the total group of axles measured  
18 longitudinally to the nearest foot as set forth in the following  
19 table:

|    | Distance in feet<br>between the<br>extremes of any<br>groups of two<br>or more<br>consecutive<br>axles | Maximum load in pounds<br>carried on any group of<br>two or more consecutive axles |         |         |         |         |
|----|--|--|---------|---------|---------|---------|
|    |  | 2 axles  | 3 axles | 4 axles | 5 axles | 6 axles |
| 20 | 4  | 34000  |         |         |         |         |
| 21 | 5  | 34000  |         |         |         |         |
| 22 | 6  | 34000  |         |         |         |         |
| 23 | 7  | 34000  |         |         |         |         |
| 24 | 8  | 34000  | 34000   |         |         |         |
| 25 | 9  | 39000  | 42500   |         |         |         |
| 26 | 10   | 40000  | 43500   |         |         |         |
| 27 | 11   |  | 44000   |         |         |         |
| 28 | 12   |  | 45000   | 50000   |         |         |
| 29 | 13   |  | 45500   | 50500   |         |         |
| 30 | 14   |  | 46500   | 51500   |         |         |
| 31 | 15   |  | 47000   | 52000   |         |         |
| 32 | 16   |  | 48000   | 52500   | 58000   |         |
| 33 | 17   |  | 48500   | 53500   | 58500   |         |
| 34 | 18   |  | 49500   | 54000   | 59000   |         |
| 35 | 19   |  | 50000   | 54500   | 60000   |         |
| 36 | 20   |  | 51000   | 55500   | 60500   | 66000   |
| 37 | 21   |  | 51500   | 56000   | 61000   | 66500   |
| 38 | 22   |  | 52500   | 56500   | 61500   | 67000   |

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|    |    |       |       |       |       |
|----|----|-------|-------|-------|-------|
| 39 | 23 | 53000 | 57500 | 62500 | 68000 |
| 40 | 24 | 54000 | 58000 | 63000 | 68500 |
| 41 | 25 | 54500 | 58500 | 63500 | 69000 |
| 42 | 26 | 55500 | 59500 | 64000 | 69500 |
| 43 | 27 | 56000 | 60000 | 65000 | 70000 |
| 44 | 28 | 57000 | 60500 | 65500 | 71000 |
| 45 | 29 | 57500 | 61500 | 66000 | 71500 |
| 46 | 30 | 58500 | 62000 | 66500 | 72000 |
| 47 | 31 | 59000 | 62500 | 67500 | 72500 |
| 48 | 32 | 60000 | 63500 | 68000 | 73000 |
| 49 | 33 |       | 64000 | 68500 | 74000 |
| 50 | 34 |       | 64500 | 69000 | 74500 |
| 51 | 35 |       | 65500 | 70000 | 75000 |
| 52 | 36 |       | 66000 | 70500 | 75500 |
| 53 | 37 |       | 66500 | 71000 | 76000 |
| 54 | 38 |       | 67500 | 72000 | 77000 |
| 55 | 39 |       | 68000 | 72500 | 77500 |
| 56 | 40 |       | 68500 | 73000 | 78000 |
| 57 | 41 |       | 69500 | 73500 | 78500 |
| 58 | 42 |       | 70000 | 74000 | 79000 |
| 59 | 43 |       | 70500 | 75000 | 80000 |
| 60 | 44 |       | 71500 | 75500 | 80500 |
| 61 | 45 |       | 72000 | 76000 | 81000 |
| 62 | 46 |       | 72500 | 76500 | 81500 |
| 63 | 47 |       | 73500 | 77500 | 82000 |
| 64 | 48 |       | 74000 | 78000 | 83000 |
| 65 | 49 |       | 74500 | 78500 | 83500 |
| 66 | 50 |       | 75500 | 79000 | 84000 |
| 67 | 51 |       | 76000 | 80000 | 84500 |
| 68 | 52 |       | 76500 | 80500 | 85000 |
| 69 | 53 |       | 77500 | 81000 | 86000 |
| 70 | 54 |       | 78000 | 81500 | 86500 |
| 71 | 55 |       | 78500 | 82500 | 87000 |
| 72 | 56 |       | 79500 | 83000 | 87500 |
| 73 | 57 |       | 80000 | 83500 | 88000 |
| 74 | 58 |       |       | 84000 | 89000 |
| 75 | 59 |       |       | 85000 | 89500 |
| 76 | 60 |       |       | 85500 | 90000 |

77 *Provided,* That no vehicle or combination of vehicles

78 shall have a gross weight, including the load, in excess of  
79 sixty-five thousand pounds, except that the maximum gross  
80 weight of vehicles operating on the national system of inter-  
81 state and defense highways and any highway providing  
82 reasonable access to and from terminals and facilities for  
83 food, fuel, repairs and rest within the state shall not be  
84 in excess of eighty thousand pounds and except as otherwise  
85 provided in this article. Notwithstanding the limits prescribed  
86 in subsection (b) of this section, two consecutive sets of  
87 tandem-axles may carry a gross load of thirty-four thousand  
88 pounds each providing the overall distance between the first  
89 and last axles of such consecutive sets of tandem-axles is  
90 thirty-six feet or more: *Provided, however,* That the limits  
91 prescribed in subsection (b) of this section shall not prohibit  
92 the operation of any vehicle or combination of vehicles of a  
93 type which could be lawfully operated in accordance with gross  
94 vehicle weights in effect on the first day of January, one  
95 thousand nine hundred seventy-five: *Provided further,* That  
96 no maximum weight in excess of or in conflict with any weight  
97 limitations prescribed by or pursuant to any act of Congress  
98 shall be permitted on the national system of interstate and  
99 defense highways.

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

*[Handwritten Signature]*  
Chairman Senate Committee

*[Handwritten Signature]*  
Chairman House Committee

Originating in the House.

Takes effect April 1, 1983.

*[Handwritten Signature]*  
Clerk of the Senate

*[Handwritten Signature]*  
Clerk of the House of Delegates

*[Handwritten Signature]*  
President of the Senate

*[Handwritten Signature]*  
Speaker House of Delegates

The within is approved this the 29  
day of March, 1983.

*[Handwritten Signature]*  
Governor

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