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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~~



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770:1039

ENROLLED
COMMITTEE SUBSTITUTE
FOR

H. B. 1839

(By MR. YANNI)

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

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 between the extremes of any groups of two or more consecutive axles	Maximum load in pounds carried on any group of 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

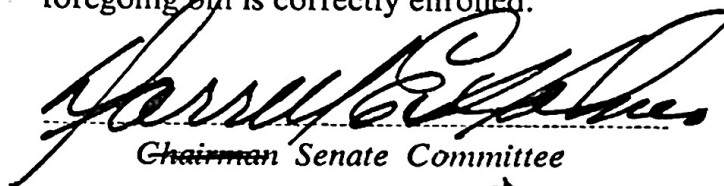
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39	23	53000	57500	62500	68000
40	24	54000	58000	63000	68500
41	25	54500	58500	63500	69000
42	26	55500	59500	64000	69500
43	27	56000	60000	65000	70000
44	28	57000	60500	65500	71000
45	29	57500	61500	66000	71500
46	30	58500	62000	66500	72000
47	31	59000	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.

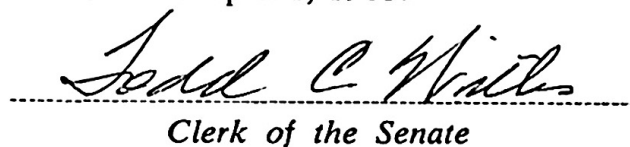
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.


Chairman Senate Committee

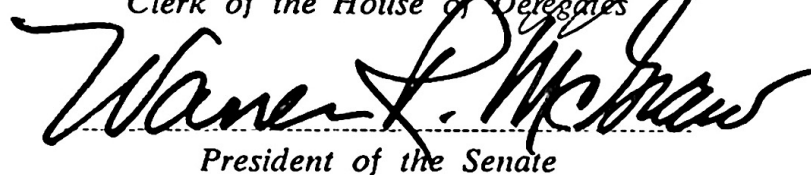

Chairman House Committee

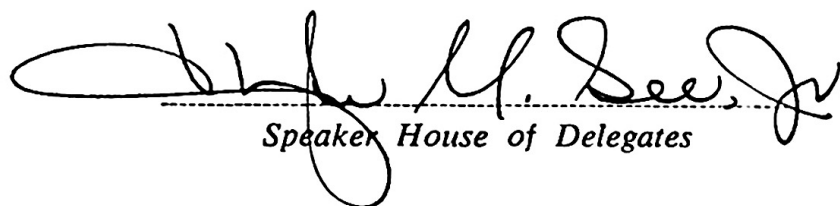
Originating in the House.

Takes effect April 1, 1983.


Clerk of the Senate


Clerk of the House of Delegates


President of the Senate


Speaker House of Delegates

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


Governor

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