WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1985

ENROLLED

Health Committee Substitute for Judiciary Committee Substitute

SENATE BILL NO. 9

(By Mr. Altman)

PASSED April 18, 1985

In Effect from Passage
ENROLLED
HEALTH AND HUMAN RESOURCES
COMMITTEE SUBSTITUTE
FOR JUDICIARY
COMMITTEE SUBSTITUTE
FOR
Senate Bill No. 9
(By Mr. Palumbo, original sponsor)
(Originating in the Committee on Health and Human Resources.)
[Passed April 13, 1985; in effect ninety days from passage.]

AN ACT to amend article twenty-seven, chapter eight of the code
of West Virginia, one thousand nine hundred thirty-one, as
amended, by adding thereto a new section, designated
section ten-a, relating to prohibiting smoking on any urban
mass transportation system vehicle; providing for signs to be
posted; and providing criminal penalties.

Be it enacted by the Legislature of West Virginia:

That article twenty-seven, chapter eight of the code of West
Virginia, one thousand nine hundred thirty-one, as amended, be
amended by adding thereto a new section, designated section
ten-a, to read as follows:
ARTICLE 27. INTERGOVERNMENTAL RELATIONS — URBAN MASS TRANSPORTATION SYSTEMS.

§8-27-10a. Smoking on vehicles prohibited; posting of signs required; criminal penalties.

(a) Every authority operating any vehicle accessible to the public, designed for the ground transportation of eight or more persons, shall post “No Smoking” signs conspicuously at the entrance to, and on the inside of, each such vehicle. No person shall smoke or carry a lighted pipe, cigar or cigarette in any such vehicle wherein a sign prohibiting smoking is posted.

(b) The posting requirements set forth in subsection (a) above do not apply to any vehicle operated in interstate commerce, nor to any chartered vehicle: Provided, That if any vehicle operated in interstate commerce or chartered vehicle has a posted nonsmoking area, no person shall smoke or carry a lighted pipe, cigar or cigarette in the posted nonsmoking area of such vehicle.

(c) Any person who violates any provision of this section is guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than twenty nor more than one hundred dollars.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Floyd Fuller

Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within ........... this the ........... day of ...... 1985.

Governor