

No. 9

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OFFICE OF THE ATTORNEY  
SECRETARY OF STATE

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1985

—•—

## ENROLLED

*Health Committee Substitute for Judiciary Committee Substitute*

SENATE BILL NO. 9

(By Mr. Belmonte)

—•—

PASSED April 13 1985

In Effect immediately upon 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.**

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

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

15 (c) Any person who violates any provision of this section  
16 is guilty of a misdemeanor, and, upon conviction thereof,  
17 shall be fined not less than twenty nor more than one  
18 hundred dollars.

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

*Harrell E. Hanna*  
.....  
Chairman Senate Committee

*Floyd Fuller*  
.....  
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

*Lord C. Mills*  
.....  
Clerk of the Senate

*Donald J. Hopp*  
.....  
Clerk of the House of Delegates

*Sam Tankership*  
.....  
President of the Senate

*Joseph P. Allright*  
.....  
Speaker House of Delegates

The within *approved* this the *2nd*  
*day*  
day of ..... 1985.

*Arthur A. Thayer Jr.*  
.....  
Governor

PRESENTED TO THE

GOVERNOR

Date 4/19/85

Time 8:09 p.m.