

HB# 2572

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OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1994

— ● —

## ENROLLED

Com. Sub. For  
HOUSE BILL No. 2572

(By Delegates *Tribett and Varner*)

— ● —

Passed *March 11, 12* 1994

*ok  
Gregory M. Berg  
John W. Babin*

In Effect *90 Days From* Passage

**ENROLLED**  
**COMMITTEE SUBSTITUTE**  
**FOR**

**H. B. 2572**

(By DELEGATES TRIBBET AND VARNER)

<sup>12</sup>  
[Passed March 14, 1994; in effect ninety days from passage.]

*at  
Bryant M. King  
Harris & Winters*

AN ACT to amend and reenact section four-a, article three, chapter seventeen-c of the code of West Virginia, one thousand nine hundred thirty-one, as amended, and to further amend said article by adding a new section, designated section four-b, all relating to prescribing criminal penalties for certain traffic violations committed in posted construction zones; and requiring posting of signs in construction zones.

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

That section four-a, article three, chapter seventeen-c of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted; and that said article be further amended by adding thereto a new section, designated section four-b, all to read as follows:

**ARTICLE 3. TRAFFIC SIGNS, SIGNALS AND MARKINGS.**

**§17C-3-4a. Obedience to traffic-control instructions at site of street or highway construction or maintenance.**

- 1 The driver of any vehicle shall obey the traffic-control
- 2 instructions of any law-enforcement officer or persons
- 3 authorized by the commissioner of highways or by
- 4 proper local authorities to operate traffic-control

5 devices, act as flagmen, or operate authorized vehicles  
6 engaged in work at or near the site of street or highway  
7 construction maintenance work, for the purpose of  
8 regulating, warning or guiding traffic, subject to the  
9 exceptions granted the driver of an authorized emer-  
10 gency vehicle in this chapter. Any person failing to  
11 comply with the requirements of this section is guilty  
12 of a misdemeanor.

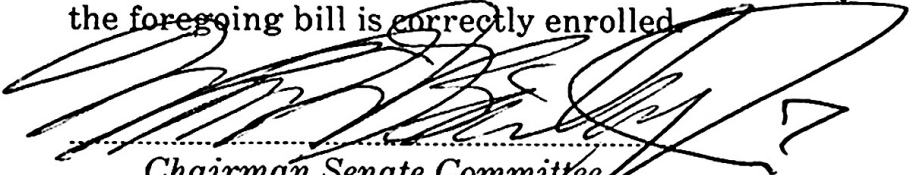
**§17C-3-4b. Traffic violations in construction zones post-  
ing requirement; criminal penalties.**

1 (a) At each and every location where street or highway  
2 construction work is to be conducted a sign shall be  
3 posted at least one thousand feet from the construction  
4 site, or as close to one thousand feet from the construc-  
5 tion site as is practicable given the location of the site  
6 when workers are present, notifying all motorists as to  
7 the speed limit and displaying the words "construction  
8 work".

9 (b) Any person who violates any posted speed restric-  
10 tion or traffic restriction at such construction site  
11 referred to in subsection (a) of this section, is guilty of  
12 a misdemeanor, and upon conviction thereof, shall be  
13 fined not more than two hundred dollars or incarcerated  
14 in a county or regional jail not more than twenty days,  
15 or both.

16 (c) Nothing in this section shall be construed to  
17 preclude prosecution of any operator of a motor vehicle  
18 who commits a violation of any other provision of this  
19 code for such violation.

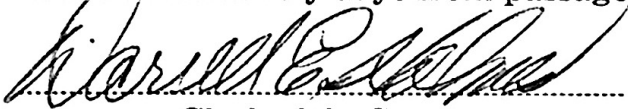
The Joint Committee on Enrolled Bills hereby certifies that  
the foregoing bill is correctly enrolled.

  
Chairman Senate Committee

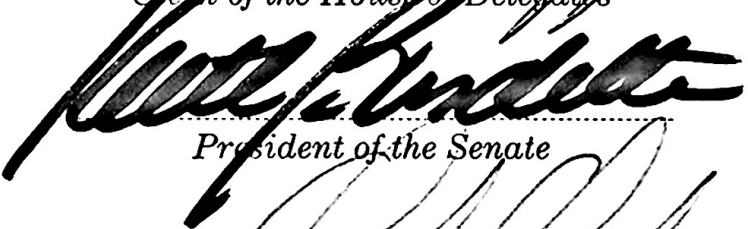
  
Chairman House Committee

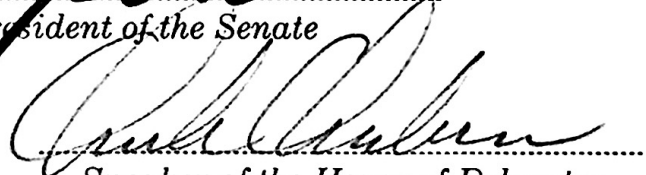
Originating in the House.

Takes effect ninety days from passage.

  
Clerk of the Senate

  
Clerk of the House of Delegates

  
President of the Senate

  
Speaker of the House of Delegates

The within is approved this the 30<sup>th</sup>  
day of March, 1994.

  
Governor

PRESENTED TO THE

GOVERNOR

Date 3/28/94

Time 4:10 pm