WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1995

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ENROLLED

Com. Sub. for
HOUSE BILL No. 3376

(By Delegates

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Passed --------------- March 11, 1995

In Effect 90 Days From Passage
AN ACT to amend article twelve, chapter seventeen-c of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section nine, relating to allowing school bus drivers to present their complaints directly to a magistrate without first presenting the complaint to the prosecuting attorney or other law-enforcement agency.

Be it enacted by the Legislature of West Virginia:

That article twelve, chapter seventeen-c of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section nine, to read as follows:

ARTICLE 12. SPECIAL STOPS REQUIRED.

§17C-12-9. School bus drivers may present complaint directly to magistrate.

1 Notwithstanding any other provision of this code to the contrary, a person authorized by law to operate a school bus, as that term is defined in section seven, article one, chapter seventeen-c, may submit a complaint directly to a magistrate without first presenting the complaint to the
prosecuting attorney or other law-enforcement agency, if
the complaint is based upon a violation of subsection (a),
section seven, article twelve, chapter seventeen-c.

The complaint shall be in the form of a written
statement of the essential facts constituting the offense
charged. The complaint shall be presented to and sworn
before a magistrate in the county where the offense is
alleged to have occurred.

If it appears from the complaint, or from an affidavit
or affidavits filed with the complaint, that there is probable
cause to believe that an offense has been committed and
that the defendant committed it, a warrant for the arrest of
the defendant shall be issued to any officer authorized by
law to arrest persons charged with offenses against the
state.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.


[Signature]
Chairman Senate Committee

[Signature]
Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

[Signature]
Clerk of the Senate

[Signature]
Clerk of the House of Delegates

[Signature]
President of the Senate

[Signature]
Speaker of the House of Delegates

The within is approved this the ___

day of ___ 1995.

[Signature]
Governor