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LEGISLATIVE SERVICES DIVISION

WEST VIRGINIA LEGISLATURE

SECOND REGULAR SESSION, 2000



ENROLLED

House Bill No. 4295

(By Delegates Givens, Ennis, Hutchins and L. White)



Passed February 24, 2000

In Effect from Passage

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The
of

ENROLLED

H. B. 4295

(BY DELEGATES GIVENS, ENNIS, HUTCHINS AND L. WHITE)

[Passed February 24, 2000; in effect from passage.]

AN ACT to authorize the commissioner of highways to allow the increase of gross weight limitations on certain designated roads in Ohio and Brooke Counties.

Be it enacted by the Legislature of West Virginia:

WEIGHT LIMITATIONS ON CERTAIN ROADS IN OHIO AND BROOKE COUNTIES.

§1. Authority of the commissioner of the division of highways to increase weight limitations on certain highways within Ohio and Brooke Counties of West Virginia.

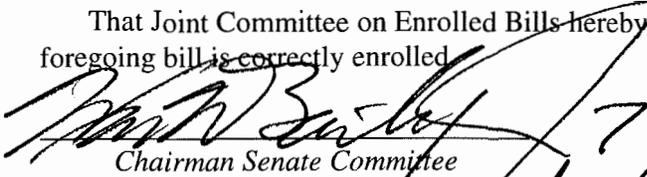
1 If the commissioner of the division of highways determines
2 that the design, construction and safety of certain highways
3 designated herein in Brooke and Ohio counties of West Virginia
4 are such that tonnage limits may be increased without undue
5 damage, the commissioner may increase them. The commis-
6 sioner shall then set new weight limitations applicable to said
7 highways or portions thereof.

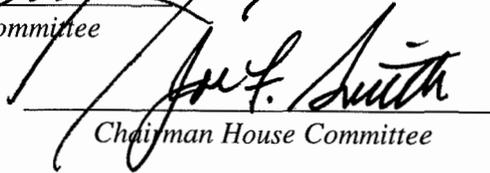
8 The commissioner may not establish any weight limitation
9 in excess of or in conflict with any weight limitation prescribed

10 by or pursuant to acts of Congress with respect to the national
11 system of interstate and defense highways.

12 If the commissioner determines that the portion of State
13 Route 2 from milepost 3.33 to the Ohio County line, the portion
14 of State Route 2 from the Brooke County line to milepost 3.27,
15 the portion of I-70 from milepost 0.69 to 0.00 and the portion of
16 U. S. Route 40 from milepost 0.39 to milepost 0.00 in Ohio
17 County are designed and constructed to allow the gross weight
18 limitation to be increased from eighty thousand pounds to
19 ninety thousand pounds without undue damage, the commis-
20 sioner may increase the weight limitations from eighty thousand
21 pounds up to ninety thousand pounds on those sections of State
22 Route 2, U. S. Route 40 and I-70 described above: *Provided,*
23 That any person, organization or corporation exceeding eighty
24 thousand pounds gross weight limitation while using said routes
25 shall first obtain a multi-trip permit from the commissioner
26 before proceeding and shall provide the commissioner with a
27 bond sufficient to cover any potential undue damage which may
28 result from the use: *Provided, however,* That if it is the determi-
29 nation of the commissioner that the routes, as specifically
30 described herein, are in need of repaving, those persons,
31 organizations or corporations shall pay the cost of repaving in
32 amounts as assessed, from time to time, by the commissioner:
33 *Provided further,* That the commissioner also determines that
34 the increased limitation is not barred by an act of the United
35 States Congress and the commissioner has received approval
36 from the United States department of transportation to increase
37 the weight limitation.

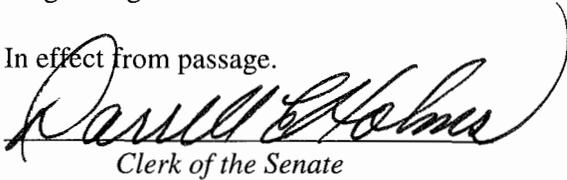
That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled


Chairman Senate Committee

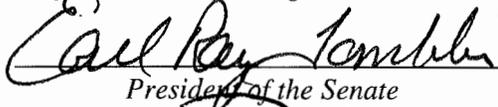

Chairman House Committee

Originating in the House.

In effect from passage.

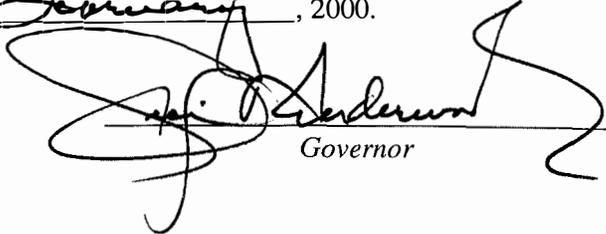

Clerk of the Senate


Clerk of the House of Delegates


President of the Senate


Speaker of the House of Delegates

The within approved this the 29th
day of February, 2000.


Governor

PRESENTED TO THE
GOVERNOR

Date 2/28/00

Time 12:55 pm