WEST VIRGINIA LEGISLATURE
FIRST REGULAR SESSION, 2001

ENROLLED

House Bill No. 2591
(By Delegates Tucker, Shelton, Givens, Ennis, Swartzmiller, DeLong and C. White)

Passed April 14, 2001

In Effect Ninety Days from Passage
H. B. 2591

(BY DELEGATES TUCKER, SHELTON, GIVENS, ENNIS, SWARTZMILLER, DELONG AND C. WHITE)

[Passed April 14, 2001; in effect ninety days from passage.]

AN ACT to direct the commissioner of highways to allow the increase of gross weight limitations on certain roads in Brooke County.

Be it enacted by the Legislature of West Virginia:

WEIGHT LIMITATIONS ON CERTAIN ROADS IN BROOKE COUNTY.

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

If the commissioner of the division of highways determines that the design, construction and safety of the highways in Brooke County of West Virginia are such that tonnage limits may be increased without undue damage, the commissioner may increase them. The commissioner shall then set new weight limitations applicable to said highways or portions thereof.
The commissioner may not establish any weight limitation in excess of or in conflict with any weight limitation prescribed by or pursuant to acts of Congress with respect to the national system of interstate and defense highways.

If the commissioner determines that those portions of State Route 2 (WV 2) in Brooke County from its intersection with State Street in Follansbee north to the intersection with Brooke County Route 507 (CR 507) at mile point 16.29, State Route 2 southbound (WV 2SB), from Brooke CR 507 to WV 2 northbound, and additionally US 22, and all connecting ramps from the Ohio state line to a point 1.00 mile east are designed and constructed to allow the gross weight limitation to be increased without undue damage, the commissioner may increase the weight limitations from eighty thousand pounds up to ninety thousand pounds on those sections described above: Provided, that any person, organization or corporation exceeding eighty thousand pounds gross weight limitation while using these routes must first obtain a multitrip permit from the commissioner before proceeding and shall provide the commissioner with a bond sufficient to cover any potential undue damage which may result from the use: Provided, however, That if it is the determination of the commissioner that the routes, as specifically described herein, are in need of repaving, those persons, organizations or corporations shall pay the cost of repaving in amounts as assessed, from time to time, by the commissioner: Provided further, That the commissioner also determines that the increased limitation is not barred by an act of the United States Congress and the commissioner has received approval from the United States department of transportation to increase 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 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 30th day of April, 2001.

Governor