WEST VIRGINIA LEGISLATURE
FIRST REGULAR SESSION, 2005

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ENROLLED

COMMITTEE SUBSTITUTE
FOR
House Bill No. 2417

(By Delegates Amores and Kominar)

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Passed April 8, 2005

In Effect Ninety Days from Passage
AN ACT to amend and reenact §17C-17-6a of the Code of West Virginia, 1931, as amended, relating to safe transport of compressed gas containers.

Be it enacted by the Legislature of West Virginia:

That §17C-17-6a of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

ARTICLE 17. SIZE, WEIGHT AND LOAD.

§17C-17-6a. Vehicles transporting compressed gas containers.

1 It is unlawful for any person operating a vehicle transporting any container of compressed gas as a cargo or part of a cargo upon a highway in an open motor vehicle unless it is securely braced, equipped with an individual shutoff valve that
must be tightly closed while in transit and its valves are protected by one of the following methods:

(1) By equipping the cylinder with securely attached metal caps of sufficient strength to protect valves from damage during transportation;

(2) By boxing or crating the cylinder with securely attached metal caps of sufficient strength so as to protect valves from damage during transportation; or

(3) By constructing the cylinder so that the valve is recessed into the cylinder or otherwise protected to the extent that it will not be subjected to a blow when the container is dropped onto a flat surface.

The requirements of this section are not applicable to propane gas used for household purposes or to respiratory health care products in use by the person operating the vehicle.

The commissioner of the division of highways is hereby authorized and directed to propose a legislative rule governing the transportation of compressed gas containers by vehicles upon the highways for promulgation in accordance with the provisions of chapter twenty-nine-a of this code.
That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chandy White  
Chairman Senate Committee

L. Lula Berry  
Chairman House Committee

Originating in the House.

In effect ninety days from passage.

Darrell J. Meadows  
Clerk of the Senate

Gregg M. Boyce  
Clerk of the House of Delegates

Earl Ray Tomblin  
President of the Senate

Robt. C. Atchias  
Speaker of the House of Delegates

The within __is approved__ this the __20th__ day of __April__, 2005.

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Governor