ENROLLED

COMMITTEE SUBSTITUTE

FOR

House Bill No. 4242

(By Delegates Diserio, Jones, Swartzmiller, Ferro, Fleischauer, Perdue, Poore, Storch, Poling, D., Eldridge and Phillips, L.)

Passed March 7, 2014

In effect from passage.
AN ACT to authorize the Commissioner of the West Virginia Division of Highways to allow an 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 West Virginia Division of Highways to increase weight limitations on certain highways within Brooke County.

1 (a) If the Commissioner of the West Virginia Division of Highways determines that the design, construction and safety of the highways in Brooke County described in subsection c of this
section are such that gross weight limits may be increased without damage, the commissioner may establish new limitations applicable to the highways or portions thereof.

(b) The commissioner may not establish any weight limitation in excess 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.

(c) If the commissioner determines that those portions of Brooke County Route 2/20, north and southbound, from milepost 0.00 to milepost 0.44; WV 2 in Brooke County, north and southbound, from milepost 12.34 to milepost 15.61; and U.S. 22, east and westbound, from milepost 0.00 to milepost 0.3, and all connecting ramps are designed and constructed to allow the gross weight limitation to be increased without damage, the commissioner may increase the gross weight limitations up to 108,000 pounds, with no tolerance permitted, on those sections described above: Provided, That any person, organization or corporation exceeding the 80,000 pounds gross weight limitation while using these routes must first obtain a permit from the commissioner before proceeding: Provided, however, That the increased weight limitations are not barred by an act of the United States Congress.

(d) The commissioner shall create a permit that shall be obtained by any person, organization or corporation wishing to utilize the provisions of subsection c of this section.

(e) The commissioner shall develop procedures for the issuance of the permit and those procedures shall be consistent with the existing procedures for the issuance of similar permits. The permit issued shall be valid for one year from the date of issuance.

(f) The information required in the application for the permit shall include:
(1) Tractor and trailer information;
(2) Number of axles;
(3) Axle spacings;
(4) Overall dimensions;
(5) Load information;
(6) Load weight and gross weight; and
(7) Effective dates.

(g) Upon submission of this information the person, organization or corporation shall be provided an appropriate permit based on the information provided in subsection f.

(h) The commissioner shall charge a permit fee of five-hundred dollars for each vehicle.

(i) The Commissioner shall have the authority to immediately reduce the weight limit authorized by the permit should a bridge report be issued stating that the safe load weight limit is below 108,000 pounds.
That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman, House Committee

Member — Chairman, Senate Committee

Originating in the House.

In effect from passage.

Clerk of the House of Delegates

Clerk of the Senate

Speaker of the House of Delegates

President of the Senate

The within is approved this the 28th
day of March, 2014.

Governor
PRESENTED TO THE GOVERNOR

MAR 28 2014

Time 10:45 AM