

Senate Bill No. 595

(By Senator Sypolt)

[Introduced February 21, 2011; referred to the Committee on
Transportation and Infrastructure; and then to the Committee on
the Judiciary.]

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A BILL to amend the Code of West Virginia, 1931, as amended, by
adding thereto a new section, designated §24A-2-4c, relating
to requiring all open or open-topped motor carriers engaged in
the transportation of solid waste to be equipped and operated
with truck tarpaulins.

Be it enacted by the Legislature of West Virginia:

That the Code of West Virginia, 1931, as amended, be amended
by adding thereto a new section, designated §24A-2-4c, to read as
follows:

ARTICLE 2. COMMON CARRIERS BY MOTOR VEHICLES.

**§24A-2-4c. Motor carriers transporting solid waste; tarp
requirement; penalties.**

(a) All motor carriers with open or open topped beds engaged
in transporting solid waste and subject to the regulatory powers of
the commission under section three, article two, chapter twenty-
four-a of this code, are required to be equipped and operated with

1 truck tarpaulins.

2 (b) An operator-driver of a solid waste motor carrier vehicle
3 who violates this section is guilty of a misdemeanor and, upon
4 conviction thereof, shall be fined not less than \$50 nor more than
5 \$500.

6 (c) An owner of a solid waste motor carrier vehicle that is
7 transporting solid waste in violation of this section is guilty of
8 a misdemeanor and, upon conviction thereof, shall be fined \$1000.

NOTE: The purpose of this bill is to require all open or open topped motor carriers engaged in the transportation of solid waste to be equipped and operated with truck tarpaulins.

This section is new; therefore, strike-throughs and underscoring have been omitted.