

1 **H. B. 4092**

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3 (By Delegates Staggers, Hall and Ferro)

4 [By Request of Division of Highways]

5 [Introduced January 17, 2012; referred to the  
6 Committee on Roads and Transportation then the Judiciary.]

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10 A BILL to amend and reenact §17C-3-4b of the Code of West Virginia,  
11 1931, as amended, relating to signage for construction zones  
12 and other traffic restrictions.

13 *Be it enacted by the Legislature of West Virginia:*

14 That §17C-3-4b of the Code of West Virginia, 1931, as amended,  
15 be amended and reenacted to read as follows:

16 **ARTICLE 3. TRAFFIC SIGNS, SIGNALS AND MARKINGS.**

17 **§17C-3-4b. Traffic violations in construction zones; posting**  
18 **requirement; criminal penalty.**

19 (a) ~~At each and every location~~ Where street or highway  
20 construction work ~~is to be conducted~~ a sign is being conducted,  
21 signs and other traffic control devices, as adopted in §17C-3-1,  
22 shall be posted ~~at least one thousand feet from the construction~~  
23 ~~site, or as close to one thousand feet from the construction site~~  
24 ~~as is practicable given~~ giving the location of the ~~site~~ when

1 ~~workers are present,~~ work and notifying all motorists as to the  
2 speed limit ~~and displaying the words "construction work"~~ and any  
3 other traffic restrictions.

4 (b) Any person who exceeds any posted speed restriction or  
5 traffic restriction at a construction site referred to in  
6 subsection (a) of this section by less than fifteen miles per hour  
7 is guilty of a misdemeanor and, upon conviction thereof, shall be  
8 fined not more than \$200.

9 (c) Any person who exceeds any posted speed restriction or  
10 traffic restriction at a construction site referred to in  
11 subsection (a) of this section by fifteen miles per hour or more is  
12 guilty of a misdemeanor and, upon conviction thereof, shall be  
13 fined not more than \$200 or confined in a ~~county or~~ regional jail  
14 not more than twenty days, or both.

15 (d) Nothing in this section shall be construed to preclude  
16 prosecution of any operator of a motor vehicle who commits a  
17 violation of any other provision of this code for such violation.

NOTE: The purpose of this bill is to update language to reflect current standards used by the Division of Highways and identified in the Manual of Uniform Traffic Control Devices.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.