

Senate Bill No. 205

(By Senators Beach, Edgell, D. Facemire, Klempa and Wills)

[Introduced January 17, 2012; referred to
the Committee on Transportation and Infrastructure.]

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

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 3. TRAFFIC SIGNS, SIGNALS AND MARKINGS.

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

- 1 (a) ~~At each and every location~~ Where street or highway
- 2 construction work is to be conducted a sign being conducted,
- 3 signs and other traffic control devices, as adopted in section
- 4 one, article three, chapter seventeen-c of this code, shall be
- 5 posted ~~at least one thousand feet from the construction site,~~
- 6 or as close to one thousand feet from the construction site as

7 ~~is practicable given~~ giving the location of the ~~site when~~
8 ~~workers are present,~~ work and notifying all motorists as to
9 the speed limit and ~~displaying the words "construction work"~~
10 any other traffic restrictions.

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

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

22 (d) Nothing in this section shall be construed to preclude
23 prosecution of any operator of a motor vehicle who commits
24 a violation of any other provision of this code for such
25 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.)