

# **WEST VIRGINIA LEGISLATURE**

## **2022 REGULAR SESSION**

**Introduced**

### **House Bill 4429**

BY DELEGATE HANSEN

[Introduced January 31, 2022; referred to the  
Committee on Technology and Infrastructure then the  
Judiciary]

1 A BILL to amend the code of West Virginia, 1931, as amended, by adding thereto a new section,  
2 designated §17C-13-9, relating to establishing a penalty for any vehicle to unlawfully park  
3 in a parking space that is designated for fueling a vehicle; defining terms; authorizing  
4 designation of fueling spaces on private property; allowing localities to create local  
5 ordinances for refueling vehicle parking spaces; designated contents of signage;  
6 authorizing law-enforcement and local parking personnel to enforce violations on private  
7 property within their jurisdictions; and creating penalties for violations.

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

### **ARTICLE 13. STOPPING, STANDING AND PARKING.**

#### **§17C-13-9. Stopping, standing or parking in a parking space designed for fueling motor vehicles; requirements; prohibitions; penalties.**

1 (a) No person may stop, park, or leave standing any vehicle in a location clearly marked  
2 as parking only for the express purpose of refueling a vehicle, when the owner of the location has  
3 expressly prohibited vehicles from parking at the designated location for any other purpose except  
4 for refueling a vehicle, and the location has been designated by signage for that express purpose.

5 (b) The term “refueling a vehicle” means pumping gasoline, natural gas, diesel fuel, or  
6 hydrogen, or the use of plug-in technology to electrically charge a vehicle.

7 (c) Any sign posted designating a space as reserved for refueling a vehicle shall depict  
8 the symbol provided in the Uniform Traffic Control Devices manual promulgated pursuant to 23  
9 Code of Federal Regulations (CFR), Part 655, Subpart F, and shall on that display also include  
10 the words “Parking only for (list the type of refueling methodology utilized). Unlawful parking  
11 subject to a fine of up to \$300”.

12 (d) Municipalities may adopt the provisions of this section and issue their own local  
13 ordinances and retain all fines and associated late fees. Local parking enforcement personnel  
14 who otherwise enforce parking violations in that locality may issue citations for violations of this  
15 section.

16           (e) The owner of private property may designate one or more locations as parking for a  
17 specified type of refueling. The designation operates as a consent by the owner authorizing  
18 enforcement of this section by law-enforcement or local parking enforcement personnel. A law-  
19 enforcement officer or a parking-enforcement designated person may enforce this section on  
20 public or private property accessible to the public.

21           (f) Any person violating the provisions of this section is guilty of a misdemeanor and, upon  
22 conviction thereof, shall be fined not more than \$100; upon a second conviction within one year  
23 thereafter, shall be fined not more than \$200; and upon a third or subsequent conviction, shall be  
24 fined not more than \$300.

NOTE: The purpose of this bill is to allow owners of refueling stations to designate refueling locations to be used only for refueling a vehicle; allowing for local ordinances; and providing penalties and authorizing enforcement.

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