

WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

Introduced

House Bill 3179

By Delegate Walker

[Introduced January 31, 2023; Referred to the
Committee on Technology and Infrastructure]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section
2 designated §17C-6-1a, relating to signage for active work zones.

Be it enacted by the Legislature of West Virginia:

ARTICLE 3. TRAFFIC SIGNS, SIGNALS, AND MARKINGS.

§17C-6-1a. Active work zone signage.

1 (a) Definitions. — As used in this section:

2 "Active work zone" means a work zone, as defined in this section, in which construction,
3 repair, maintenance, or traffic control personnel are present;

4 "Multi-lane, high-speed highway" means any highway with more than one vehicle lane in
5 each direction of travel, with or without a physical separation between the lanes in opposite
6 directions, and with a posted speed limit of 55 miles per hour or greater for ordinary conditions;

7 "Work zone" means a segment of a highway where highway construction, repair,
8 maintenance, utility work, or a related activity, including the placement, installation, maintenance,
9 or removal of a work zone traffic control device, is being performed, regardless of whether workers
10 are present, and that is identified as a temporary traffic control zone by traffic control devices that
11 are placed or installed in general conformance with the state manual and specifications adopted
12 for a uniform system of traffic control devices;

13 (b) Work zone speed restrictions. — The Commissioner of Highways may determine and
14 declare a reasonable and safe speed limit for vehicles transiting a work zone on any highway that
15 is lower than the lawful speed limit on the unobstructed portions of the highway.

16 (c) Owner's duty. —

17 (1) The owner of every motor vehicle has a duty to ensure that his or her vehicle is not
18 driven above the posted speed limit in an active work zone. If a vehicle is driven on a public
19 highway in an active work zone more than 10 miles per hour above the posted speed limit for that
20 work zone, the owner of the vehicle shall be subject to a civil penalty as provided in this section.

21 (2) The Department of Transportation is authorized to utilize work zone signage to

22 communicate speed limit restrictions in active work zones on multi-lane, high-speed highways.

23 (d) Active work zones. —

24 (1) At least two conspicuous road signs must be placed at a reasonable distance in
25 accordance with the state manual on uniform traffic control devices before the work zone alerting
26 drivers of an active work zone at which workers may be present; and

27 (2) A notice identifying the location of the work zone speed control system must be posted
28 on the West Virginia 511 traffic information website and the notice on the website shall remain
29 throughout the period of use.

NOTE: The purpose of this bill is to address signage for active work zones at which workers may be present.

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