

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Introduced

House Bill 5386

By Delegates Sheedy, Willis, and Foggin

[Introduced January 31, 2024; 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 §17-2-1, relating to the creating expectations for the removal of "flagger ahead"
 3 signs on WV roadways.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2. PROCEDURES FOR SIGN REMOVAL FROM ROADWAY

§17-2-1. Procedure for the removal of "Flagger Ahead" signs.

1 (a) All signs intended to warn drivers that work is being conducted, including, but not
 2 limited to, "flagger ahead" signs, must be removed from the roadway within 30 minutes of
 3 cessation of or removal of flaggers on any and all public roadways within the state.

4 (b) Violations of this procedure will be prosecuted as follows:

5 (1) A first offense will result in a warning and the offender shall be fined \$50 for the court
 6 costs associated with adjudicating the offense;

7 (2) A second offense will result in a \$200 fine in additions to the court costs.

8 (3) A third offense will result in the offender paying a \$500 fine, court costs, and the
 9 offender will have their right-of-way entry permit revoked.

10 (c) This section will become effective on July 1, 2024.

NOTE: The purpose of this bill is to create expectations for the removal of "flagger ahead" signs on WV roadways.

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