WEST VIRGINIA CODE: §11-14-17

§11-14-17. No dyed fuel on highways.

No person may operate or maintain a motor vehicle on any public highway in this state with special dyed diesel fuel as the motor fuel contained in the fuel supply tank. This provision does not apply to: (a) Persons operating motor vehicles that have received fuel into their fuel tanks outside of this state in a jurisdiction that permits introduction of dyed taxable motor fuel of that color and type into the motor fuel tank of highway vehicles, and can show proof of such; or (b) uses of dyed fuel on the highway which are lawful under the Internal Revenue Code and regulations under that code, including state and local government vehicles and buses unless otherwise prohibited by this chapter.

Any person who violates this section is guilty of a misdemeanor and, upon conviction thereof, shall be fined $10 per gallon of fuel capacity of the fuel tanks or $1,000, whichever is greater, for the first two violations of this section in a calendar year, and a fine of $15 per gallon of fuel capacity of the fuel tanks or $2,000, whichever is greater, for each subsequent offense in the same calendar year.

WV Legislature