WEST VIRGINIA CODE: §16-9A-8

§16-9A-8. Selling of tobacco products in vending machines prohibited except in certain places.

A person or business entity may not offer for sale any tobacco product in a vending machine. Any person or business entity which violates the provisions of this section is guilty of a misdemeanor and, upon conviction thereof, shall be fined $250: *Provided*, That an establishment is exempt from this prohibition if individuals younger than 21 years of age are not permitted to be in the establishment or if the establishment is licensed by the alcohol beverage control commissioner as a Class A licensee. The alcohol beverage control commissioner shall promulgate rules for legislative approval pursuant to §29A-3-1 *et seq*. of this code, to establish standards for the location and control of the vending machines in Class A licensed establishments for the purpose of restricting access by persons younger than 21 years of age.

WV Legislature