WEST VIRGINIA CODE: §16-9E-3

§16-9E-3. Age verification requirements.

(a) A person shall not, in connection with a delivery sale, accept a purchase order, sell, mail, deliver, or cause to be delivered any tobacco product that is subject to 15 U.S.C. §375 *et seq*. unless the delivery sale complies with all applicable age verification requirements of 15 U.S.C. §376a.

(b) A person may use a check box on an internet website or mobile application to confirm the full name, birth date, and registered address of a purchaser prior to accepting a delivery sale for a tobacco product via an internet website or mobile application if:

(1) The purchaser provided his or her full name, birth date, and registered address upon registering as a user of the internet website or mobile application; and

(2) The person has verified the full name, birth date, and registered address of the purchaser upon registration using a commercially available database or aggregate of databases, consisting primarily of data from government sources, that are regularly used by government and businesses for the purpose of age and identity verification and authentication, to ensure that the purchaser is of the legal minimum purchase age.

(c) A person who obtains a consumer's electronic signature upon delivery of a tobacco product shall be deemed to satisfy 15 U.S.C. § 376a.

WV Legislature