WEST VIRGINIA CODE: §17C-5B-2

§17C-5B-2. To whom and how county medical examiners report results of blood tests; such reports admissible as evidence; use of reports only for statistical and highway safety purposes.

(a) Each county medical examiner shall immediately report the results of each blood test conducted under the authority of §17C-5B-1 of this code by him or her, or conducted at his or her request, to the chief medical examiner of the Office of the Chief Medical Examiner and to the West Virginia State Police. Results of such blood test or any report thereof may be admissible in evidence, if material, in any action or proceeding of any kind in any court or before any tribunal, board, or agency.

(b) The West Virginia State Police shall compile the data from all such reports submitted to it on a monthly basis. The West Virginia State Police shall forward such compilations to the Governor's Highway Safety Program, and the Division of Motor Vehicles. Such compilations shall be for statistical purposes and highway safety information and be disclosed or revealed in any manner necessary. The identity of any dead person whose blood was tested under the provisions of §17C-5B-1 of this code may be disclosed or revealed when necessary for evidence in any action or proceeding of any kind in any court or before any tribunal, board, or agency.

(c) The West Virginia State Police, the Governor's Highway Safety Program, and the Division of Motor Vehicles shall make use of such compilations in a manner to provide accurate and useful statistical information to government and the public relative to achieving a reduction in motor vehicle crashes arising in whole or in part from the imbibing of alcohol by motor vehicle drivers and adult pedestrians.

WV Legislature