WEST VIRGINIA CODE: §17c-5A-1

§17C-5A-1. Report to be submitted to commissioner following arrest for driving under the influence of alcohol, controlled substances, or drugs or refusal to submit to secondary chemical test; report to the court.

(a) Any law-enforcement officer investigating a person for an offense described in §17C-5-2 of this code, or for an offense described in a municipal ordinance which has the same elements as an offense described in said section, shall report to the Commissioner of the Division of Motor Vehicles by written statement within 48 hours of the conclusion of the investigation the name and address of the person believed to have committed the offense. The report shall include the specific offense with which the person is charged and, if applicable, a copy of the results of any secondary tests of blood, breath, or urine. The signing of the statement required to be signed by this subsection constitutes an oath or affirmation by the person signing the statement that the statements contained in the statement are true and that any copy filed is a true copy. The statement shall contain upon its face a warning to the officer signing that to willfully sign a statement containing false information concerning any matter or thing, material or not material, is false swearing and is a misdemeanor.

(b) After receiving the report required by subsection (a) of this section, the Commissioner of the Division of Motor Vehicles shall immediately submit, to the court with jurisdiction over the criminal offense, a full and complete record of the following:

(1) Any prior suspensions or revocations of the person’s license to operate a motor vehicle under §17C-5-2, §17C-5-2b, or §17C-5-7a of this code; or

(2) Any conviction or term of conditional probation imposed under a municipal ordinance of this state or any other state or a statute of the United States or of any other state of an offense which has the same elements as an offense described in §17C-5-2 of this code.

(c) The amendments made to this section during the 2020 regular session of the Legislature shall become effective on July 1, 2020.

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