WEST VIRGINIA CODE: §61-11-26b

§61-11-26b. Limitation on expungement for certain motor vehicle traffic control offenses.

(a) Notwithstanding the provisions of §61-11-26, §61-11-26a, and §62-16-1 et seq. of this code, no court or other tribunal has the authority to:

(1) Order the expungement of a conviction for a motor vehicle traffic control violation for a person who held a commercial driver's license or permit or who was operating a commercial motor vehicle at the time of the offense;

(2) Enter an order or take any action to mask a charge or conviction, divert a charge, or modify the records of a charge or conviction in a manner that would prevent an offense from appearing on an offender's commercial driving record; or

(3) Order the expungement of any conviction for driving under the influence of alcohol or controlled substances, as provided in §61-11-26 of this code.

(b) Notwithstanding any other provision of this code, no court or other tribunal may enter an order or take any other action related to a motor vehicle traffic control offense that violates any applicable federal law or regulation, including, but not limited to:

(1) The requirements or conditions contained in 23 U.S.C. §164 et seq. and 23 C.F.R. § 1275 et seq.; and

(2) The requirements or conditions contained in 49 U.S.C. § 31311 and 49 C.F.R. § 384 et seq.

WV Legislature