

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1963

ENROLLED

SENATE BILL NO. 209

*Mr Carson* (By *Mr President and Mr Smith*)

PASSED Mar - 6 - 1963

In Effect 90 days from Passage

Filed in Office of the Secretary of State  
of West Virginia 3-14-63

JOE F. BURDETT  
SECRETARY OF STATE

# 209

**ENROLLED**

**Senate Bill No. 209**

(By MR. CARSON, MR. PRESIDENT, and MR. SMITH)

[Passed March 6, 1963; in effect ninety days from passage.]

AN ACT to amend and reenact section three, article four, chapter seventeen-b of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to driving upon the highways of the state when one's license has been suspended or revoked, and providing penalties.

*Be it enacted by the Legislature of West Virginia:*

That section three, article four, chapter seventeen-b of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

**Section 3. Driving While License Suspended or Re-**  
2 **voked.**—Any person who drives a motor vehicle on any  
3 public highway of this state at a time when his privilege  
4 so to do has been lawfully suspended or revoked shall,

5 for the first offense, be guilty of a misdemeanor and,  
6 upon conviction thereof, shall be punished by imprison-  
7 ment in the county jail for a period of forty-eight hours  
8 and, in addition to such mandatory jail sentence, shall  
9 be fined not less than fifty dollars nor more than five hun-  
10 dred dollars; for the second offense, such person shall be  
11 guilty of a misdemeanor and, upon conviction thereof,  
12 shall be punished by imprisonment in the county jail  
13 for a period of ten days and, in addition to such manda-  
14 tory jail sentence, shall be fined not less than one hundred  
15 dollars nor more than five hundred dollars; for the third  
16 or any subsequent offense, such person shall be guilty  
17 of a misdemeanor and, upon conviction thereof, shall be  
18 punished by imprisonment in the county jail for a period  
19 of six months and, in addition to such mandatory jail  
20 sentence, shall be fined not less than one hundred fifty  
21 dollars nor more than five hundred dollars.

22 The department upon receiving a record of the convic-  
23 tion of any person under this section upon a charge of  
24 driving a vehicle while the license of such person was  
25 suspended lawfully shall extend the period of such sus-

26 pension for an additional like period and if the conviction  
27 was upon a charge of driving while a license was revoked  
28 lawfully the department shall not issue a new license for  
29 an additional period of one year from and after the date  
30 such person would otherwise have been entitled to apply  
31 for a new license.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

*O. Ray Parker*  
Chairman Senate Committee

*Charles L. Randall*  
Chairman House Committee

Originated in the Senate.

Takes effect *90 days from* passage.

*Howard Myers*  
Clerk of the Senate

*C. A. Blankenship*  
Clerk of the House of Delegates

*Howard W. Curran*  
President of the Senate

*Julius W. Bagleton Sr.*  
Speaker House of Delegates

The within *approved* this the *13<sup>th</sup>*  
day of *March*, 1963.

*W. W. Baum*  
Governor

