WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1969

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ENROLLED

HOUSE BILL No. 526

(By Mr. )

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PASSED

1969

In Effect

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FILED IN THE OFFICE

JOHN D. ROYCEFELLER, IV
SECRETARY OF STATE

THIS DATE 3-17-69
ENROLLED

House Bill No. 524
(By Mr. McManus)

[Passed March 8, 1969; in effect from passage.]

AN ACT to amend and reenact section three, article two, chapter seventeen-b of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to revocation of a junior license.

Be it enacted by the Legislature of West Virginia:

That section three, article two, 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:

ARTICLE 2. ISSUANCE OF LICENSE, EXPIRATION AND RENEWAL.

§17B-2-3. What persons shall not be licensed; exceptions.

1. The department shall not issue any license hereunder:

2. (1) To any person, as an operator, who is under the
Provided, That under rules and regulations to be established by the commissioner and in accordance with the provisions hereinafter set forth in this subdivision (1), a junior or probationary operator's license may be issued to any person between the ages of sixteen and eighteen years, who is not otherwise disqualified by law, upon application therefor on a form prescribed by the commissioner and successful completion of all examinations and driving tests required by law for the issuance of an operator's license to a person eighteen years of age or older. The commissioner may impose reasonable conditions or restrictions on the operation of a motor vehicle by a person holding such junior or probationary operator's license, which conditions or restrictions shall be printed on each such license. In addition to all other provisions of this chapter for which a regular operator's or chauffeur's license may be revoked, suspended or cancelled, whenever a person holding such a junior or probationary operator's license operates a motor vehicle in violation of the conditions or restrictions set forth on such license, or has a record
of two convictions for moving violations of the traffic regulations and laws of the road, which convictions have become final, the junior or probationary license of such person shall be permanently revoked, with like effect as if such person had never held a junior or probationary operator's license: Provided, That such junior or probationary operator's license shall be revoked upon one final conviction for any offense specified in section five, article three of this chapter. Under no circumstances shall such a license be revoked for convictions of offenses in violation of any regulation or law governing the standing or parking of motor vehicles. A person whose junior or probationary operator's license has been revoked shall not thereafter receive a junior or probationary operator's license, but such person, upon attaining the age of eighteen, shall be eligible, unless otherwise disqualified by law, for examination and driver testing for a regular operator's license or chauffeur's license. No person shall receive a junior or probationary operator's license unless the application therefor is accompanied by a writing, duly acknowledged, con-
senting to the issuance of such junior or probationary
operator's license and executed (a) by the parents of
the applicant, or (b) if only one parent is living, then
by such parent, or (c) if the parents be living separate
and apart, by the one to whom was awarded the custody
of the applicant, or (d) if there is a guardian entitled
to the custody of the applicant, then by such guardian.
Upon attaining the age of eighteen years, a person hold-
ing an unrevoked junior or probationary operator's
license shall, upon payment of the prescribed fee, be
entitled to receive a regular operator's license or chauf-
feur's license without further examination or driver
testing. When a junior license is revoked as a result of
two convictions for moving violations of the traffic reg-
ulations and laws of the road as hereinabove stated, the
provisions of section one, article four, chapter seventeen-d
shall not apply;
(2) To any person, as a chauffeur, who is under the
age of eighteen years;
(3) To any person, as an operator or chauffeur, whose
license has been suspended, during such suspension, nor
to any person whose license (other than a junior or probationary operator's license) has been revoked, except as provided in section eight, article three of this chapter;

(4) To any person, as an operator or chauffeur, who is an habitual drunkard, or is addicted to the use of narcotic drugs;

(5) To any person, as an operator or chauffeur, who has previously been adjudged to be afflicted with or suffering from any mental disability or disease and who has not at the time of application been restored to competency by judicial decree or released from a hospital for the mentally incompetent, upon the certificate of the superintendent of such institution that such person is competent and not then unless the commissioner is satisfied that such person is competent to operate a motor vehicle with safety to persons or property;

(6) To any person, as an operator or chauffeur, who is required by this chapter to take an examination, unless such person shall have successfully passed such examination;
(7) To any person who is required under the provisions of the motor vehicle safety responsibility laws of this state to deposit proof of financial responsibility and who has not deposited such proof;

(8) To any person when the commissioner has good cause to believe that the operation of a motor vehicle on the highways by such person would be inimical to public safety or welfare.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

William Tamar
Chairman Senate Committee

Clayton C. Davidson
Chairman House Committee

Originated in the House.
Takes effect from passage.

G. A. Blankenship
Clerk of the Senate

O.A. Blankenship
Clerk of the House of Delegates

Lloyd G. Jackson
President of the Senate

Ben F. Bailes
Speaker House of Delegates

The within approved) this the 17th
day of March, 1969.

Arch A. Shively, Jr.
Governor