

RECEIVED

1991 FEB 26 AM 10:58

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1991

ENROLLED

Committee Substitute for
SENATE BILL NO. 129

(By Senators *Spears & Brackmich*)

PASSED *February 18,* 1991

In Effect *July 1, 1991* ~~Passage~~

ENROLLED
COMMITTEE SUBSTITUTE
FOR
Senate Bill No. 129

(BY SENATORS SPEARS AND BRACKENRICH, *original sponsors*)

[Passed February 18, 1991; to take effect July 1, 1991.]

AN ACT to amend and reenact section seven-a, article two, chapter seventeen-b of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to recreating the driver's licensing advisory board pursuant to review by the joint committee on government operations and increase of the per diem of board members.

Be it enacted by the Legislature of West Virginia:

That section seven-a, 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-2-7a. Driver's licensing advisory board.

1 The driver's licensing advisory board which was
2 terminated pursuant to the provisions of article ten,
3 chapter four of this code, is hereby recreated following
4 a review of its functions by the joint committee on
5 government operations. The board shall consist of five
6 members to be appointed by the governor, by and
7 with the advice and consent of the Senate, for terms
8 of three years, except that as to the members first
9 appointed, two shall be appointed for a term of three
10 years, two shall be appointed for a term of two years,
11 and one shall be appointed for a term of one year, all
12 from the first day of July, one thousand nine hundred
13 seventy-four. All vacancies occurring on the board
14 shall be filled by the governor, by and with the advice
15 and consent of the Senate. One member of the board
16 shall be an optometrist duly registered to practice
17 optometry in this state and the other four members of
18 the board shall be physicians or surgeons duly licensed
19 to practice medicine or surgery in this state. The
20 governor shall appoint persons qualified to serve on
21 the board who, in his opinion, will best serve the work
22 and function of the board.

23 The board shall advise the commissioner of motor
24 vehicles as to vision standards and all other medical
25 criteria of whatever kind or nature relevant to the
26 licensing of persons to operate motor vehicles under
27 the provisions of this chapter. The board shall, upon
28 request, advise the commissioner of motor vehicles as
29 to the mental or physical fitness of an applicant for, or
30 the holder of, a license to operate a motor vehicle. The
31 board shall furnish the commissioner with all such
32 medical standards, statistics, data, professional infor-
33 mation and advice as he may reasonably request.

34 The members of the board shall receive a per diem
35 of fifty dollars for each day actually devoted to the
36 business of the board, and shall be reimbursed for all

37 reasonable and necessary expenses actually incurred
38 by them in the discharge of their official duties.

39 After having conducted a performance and fiscal
40 audit through its joint committee on government
41 operations, pursuant to section nine, article ten,
42 chapter four of this code, the Legislature hereby finds
43 and declares that the driver's licensing advisory board
44 should be continued and reestablished. Accordingly,
45 notwithstanding the provisions of section four, article
46 ten, chapter four of this code, the driver's licensing
47 advisory board shall continue to exist until the first
48 day of July, one thousand nine hundred ninety-seven.

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

Elmer Heck

.....
Chairman Senate Committee

Ernest C. Moore

.....
Chairman House Committee

Originated in the Senate.

To take effect July 1, 1991.

Harrell E. Allen

.....
Clerk of the Senate

Donald H. Kopp

.....
Clerk of the House of Delegates

Paul Smith

.....
President of the Senate

B. H. C. C.

.....
Speaker House of Delegates

The within *is approved* this the *26th*
day of *January*, 1991.

Gaston Caperton

.....
Governor

PRESENTED TO THE

GOVERNOR

Date 2/20/91

Time 2:30 pm