WEST VIRGINIA LEGISLATURE
Regular Session, 2003

ENROLLED

SENATE BILL NO. 342

(By Senator Bailey)

PASSED March 7, 2003

In Effect ninety days from Passage
AN ACT to amend and reenact section twelve, article two, chapter seventeen-b of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to issuance and renewals of driver’s licenses; and limiting the time a driver’s license may be issued to a person who is not a citizen of the United States to the time the person is authorized to be in the United States.

Be it enacted by the Legislature of West Virginia:

That section twelve, 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-2-12. Expiration of licenses; renewal; renewal fees.

1 (a) Except as provided in subsection (e) of this section, every driver’s license shall expire five years from the date of its issuance.
(b) (1) Every driver's license issued to persons who have attained their twenty-first birthday shall expire on the day of the month designated by the commissioner in which the applicant's birthday occurs in those years in which the applicant's age is evenly divisible by five. Except as provided in the following subdivisions and in subsection (e) of this section, no driver's license may be issued for less than three years nor more than seven years and shall be valid for a period of five years, expiring in the month in which the applicant's birthday occurs and in a year in which the applicant's age is evenly divisible by five. (2) Every driver's license issued to persons who have not attained their twenty-first birthday shall expire on the day of the month designated by the commissioner in the year in which the applicant attains the age of twenty-one years, except as provided in section three-a of this article.

(3) The driver's license of any person in the armed forces is extended for a period of six months from the date the person is separated under honorable circumstances from active duty in the armed forces.

(4) The commissioner may change the date that a driver's license expires from the last day of the month in those years specified in subdivisions (1) and (2) of this subsection to the day of the month in which the applicant's birthday occurs in those years. If the commissioner changes the expiration date, the change may only affect new licenses and renewed licenses.

(c) A person who allows his or her driver's license to expire may apply to the division for renewal of the license. Application shall be made upon a form furnished by the division and shall be accompanied by payment of the fee required by section eight of this article plus an additional fee of five dollars. The commissioner shall determine whether the person qualifies for a renewed license and may, in the commissioner's discretion, renew any expired license without examination of the applicant.
(d) Each renewal of a driver's license shall contain a new color photograph of the licensee. By first class mail to the address last known to the division, the commissioner shall notify each person who holds a valid driver's license of the expiration date of the license. The notice shall be mailed at least thirty days prior to the expiration date of the license and shall include a renewal application form.

(e) A license issued to a person who is not a citizen of the United States may only be issued for the time the person is legally authorized to be in the United States, not to exceed five years. If the time the person is authorized to be in the United States is extended, the commissioner may renew the license for the time extended, not to exceed five years.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within bill is approved this the 27th Day of March, 2003.

Governor
PRESENTED TO THE
GOVERNOR

Date  3/19/03
Time  4:30