

HB 4450

# WEST VIRGINIA LEGISLATURE

## 2022 REGULAR SESSION

**ENROLLED**

### **House Bill 4450**

BY DELEGATES ESPINOSA, HOLSTEIN, BARRETT, CRISS,

WESTFALL, CLARK, HOUSEHOLDER, HARDY, HAMRICK

AND HOTT

[Passed March 12, 2022; in effect July 1, 2022.]

OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

2022 MAR 30 P 5:06

FILED

# WEST VIRGINIA LEGISLATURE

## 2022 REGULAR SESSION

**ENROLLED**

### **House Bill 4450**

BY DELEGATES ESPINOSA, HOLSTEIN, BARRETT, CRISS,  
WESTFALL, CLARK, HOUSEHOLDER, HARDY, HAMRICK  
AND HOTT

[Passed March 12, 2022; in effect July 1, 2022.]

OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

2022 MAR 30 P 5:06

FILED

1 AN ACT to repeal §3-2-12 of the Code of West Virginia, 1931, as amended; to amend and reenact  
2 §17-3-1 of said code; and to amend and reenact §17B-2-8 of said code, all relating to  
3 removing the \$0.50 fee charged and deposited in the Combined Voter Registration and  
4 Driver's Licensing Fund for each driver's license issued by the Department of Motor  
5 Vehicles, which fees are no longer necessary for affording voter registration costs.

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

## **CHAPTER 3. ELECTIONS.**

### **ARTICLE 2. REGISTRATION OF VOTERS.**

#### **§3-2-12. Combined voter registration and driver licensing fund; transfer of funds.**

1 [Repealed].

## **CHAPTER 17. ROADS AND HIGHWAYS.**

### **ARTICLE 3. STATE ROAD FUND.**

#### **§17-3-1. What constitutes fund; payments into fund; use of money in fund.**

1 There shall be a State Road Fund, which shall consist of the proceeds of all state license  
2 taxes imposed upon automobiles or other motor or steam driven vehicles; the registration fees  
3 imposed upon all owners, chauffeurs, operators and dealers in automobiles or other motor driven  
4 vehicles; all sums of money which may be donated to such fund; all proceeds derived from the  
5 sale of state bonds issued pursuant to any resolution or act of the Legislature carrying into effect  
6 the Better Roads Amendment to the Constitution of this state, adopted in November, 1964, except  
7 that the proceeds from the sale of these bonds shall be kept in a separate and distinct account in  
8 the State Road Fund; all proceeds from the sale of state bonds issued pursuant to any resolution  
9 or act of the Legislature carrying into effect the Safe Roads Amendment of 1996 to the  
10 Constitution of this state, adopted in November, 1996, except that the proceeds from the sale of  
11 these bonds shall be kept in a separate and distinct account in the State Road Fund; all proceeds  
12 from the sale of state bonds issued pursuant to any resolution or act of the Legislature carrying

13 into effect the Roads to Prosperity Amendment of 2017 to the Constitution of this state, adopted  
14 in October, 2017, except that the proceeds from the sale of these bonds shall be kept in a separate  
15 and distinct account in the State Road Fund; all moneys and funds appropriated to it by the  
16 Legislature; and all moneys allotted or appropriated by the federal government to this state for  
17 road construction and maintenance pursuant to any act of the Congress of the United States; the  
18 proceeds of all taxes imposed upon and collected from any person, firm or corporation and of all  
19 taxes or charges imposed upon and collected from any county, district or municipality for the  
20 benefit of the fund; the proceeds of all judgments, decrees or awards recovered and collected  
21 from any person, firm or corporation for damages done to, or sustained by, any of the state roads  
22 or parts thereof; all moneys recovered or received by reason of the violation of any contract  
23 respecting the building, construction or maintenance of any state road; all penalties and forfeitures  
24 imposed, recovered or received by reason thereof; and any and all other moneys and funds  
25 appropriated to, imposed and collected for the benefit of such fund, or collected by virtue of any  
26 statute and payable to such fund.

27         When any money is collected from any of the sources aforesaid, it shall be paid into the  
28 State Treasury by the officer whose duty it is to collect and account for the same, and credited to  
29 the State Road Fund, and shall be used only for the purposes named in this chapter, which are:  
30 (a) To pay the principal and interest due on all state bonds issued for the benefit of said fund, and  
31 any costs related to the issuance thereof, and set aside and appropriated for that purpose; (b) to  
32 pay the expenses of the administration of the Division of Highways; and (c) to pay the cost of  
33 maintenance, construction, reconstruction and improvement of all state roads.

## **CHAPTER 17B. MOTOR VEHICLE DRIVER'S LICENSES.**

### **ARTICLE 2. ISSUANCE OF LICENSE, EXPIRATION AND RENEWAL.**

#### **§17B-2-8. Issuance and contents of licenses; fees.**

1         (a) The division shall, upon payment of the required fee, issue to every applicant qualifying  
2 therefor a driver's license, which shall indicate the type or general class or classes of vehicle or

3 vehicles the licensee may operate in accordance with this chapter or chapter 17E of this code, or  
4 motorcycle-only license. Each license shall contain a coded number assigned to the licensee, the  
5 full legal name, to be displayed in a manner selected by the applicant when supported by  
6 appropriate documentation and consistent with federal law, this code, and existing system  
7 capabilities of the division, date of birth, residence address, a brief description and a color  
8 photograph of the licensee, and either a facsimile of the signature of the licensee or a space upon  
9 which the signature of the licensee is written with pen and ink immediately upon receipt of the  
10 license. No license is valid until it has been so signed by the licensee.

11 (b) A driver's license which is valid for operation of a motorcycle shall contain a motorcycle  
12 endorsement. A driver's license which is valid for the operation of a commercial motor vehicle  
13 shall be issued in accordance with chapter 17E of this code.

14 (c) The division shall use such process or processes in the issuance of licenses that will,  
15 insofar as possible, prevent any identity theft, alteration, counterfeiting, duplication, reproduction,  
16 forging or modification of, or the superimposition of a photograph on, the license.

17 (d) The fee for the issuance of a Class E driver's license is \$5 per year for each year the  
18 license is valid. The Division of Motor Vehicles may adjust this fee every five years on September  
19 1, based on the U. S. Department of Labor, Bureau of Labor Statistics most current Consumer  
20 Price Index: *Provided*, That an increase in such fee may not exceed 10 percent of the total fee  
21 amount in a single year. The fee for issuance of a Class D driver's license is \$6.25 per year for  
22 each year the license is valid. The additional fee for adding a motorcycle endorsement to a driver's  
23 license is \$1 per year for each year the license is issued.

24 (e) The fee for issuance of a motorcycle-only license is \$2.50 for each year for which the  
25 motorcycle license is valid. The fees for the motorcycle endorsement or motorcycle-only license  
26 shall be paid into a special fund in the State Treasury known as the Motorcycle Safety Fund as  
27 established in §17B-1D-7 of this code.

28 (f) The fee for the issuance of either the level one or level two graduated driver's license  
29 as prescribed in §17B-2-3a of this code is \$5.

30 (g) The fee for issuance of a federally compliant driver's license or identification card for  
31 federal use is \$10 in addition to any other fee required by this chapter. Any fees collected under  
32 the provisions of this subsection shall be deposited into the Motor Vehicle Fees Fund established  
33 in accordance with §17A-2-21 of this code.

34 (h) The division may use an address on the face of the license other than the applicant's  
35 address of residence if:

36 (1) The applicant has a physical address or location that is not recognized by the post  
37 office for the purpose of receiving mail;

38 (2) The applicant is enrolled in a state address confidentiality program or the alcohol test  
39 and lock program;

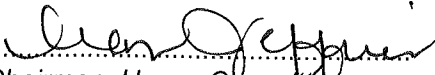
40 (3) The applicant's address is entitled to be suppressed under a state or federal law or  
41 suppressed by a court order; or

42 (4) At the discretion of the commissioner, the applicant's address may be suppressed to  
43 provide security for classes of applicants such as law-enforcement officials, protected witnesses,  
44 and members of the state and federal judicial systems.

45 (i) Notwithstanding any provision in this article to the contrary, a valid military identification  
46 card with an expiration date issued by the United States Department of Defense for active duty,  
47 reserve, or retired military personnel containing a digitized photo and the holder's full legal name  
48 may be used to establish current full legal name and legal presence. The commissioner may at  
49 his or her discretion expand the use of military identification cards for other uses as permitted  
50 under this code or federal rule.

51 (j) The division may accept any document as proof of identity, residency, and lawful  
52 presence that is acceptable under the Real ID Act of 2005, Pub. L. No. 109-13, 119 Stat. 302  
53 (May 11, 2005), 49 U.S.C. §30301 *et seq.*

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

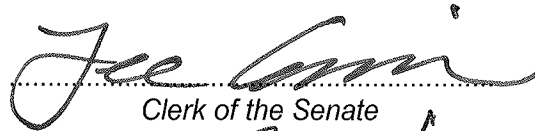
  
.....  
Chairman, House Committee


  
.....  
Chairman, Senate Committee

Originating in the House.

In effect July 1, 2022.

  
.....  
Clerk of the House of Delegates

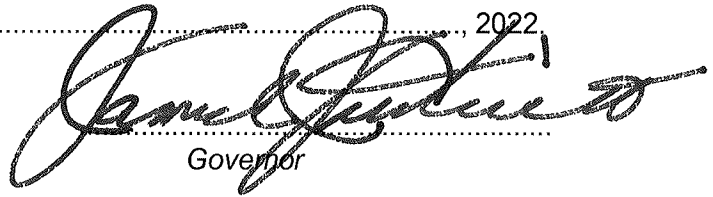
  
.....  
Clerk of the Senate

  
.....  
Speaker of the House of Delegates

  
.....  
President of the Senate

FILED  
2022 MAR 30 P 5:06  
OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

The within is approved this the 30th  
day of March, 2022.

  
.....  
Governor

PRESENTED TO THE GOVERNOR

MAR 24 2022

Time 2:33 pm