

FILED

2003 MAR 27 P 4: 0

OFFICE WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

Regular Session, 2003

ENROLLED

SENATE BILL NO. 342

(By Senator Bailey)

PASSED March 7, 2003

In Effect ninety days from **Passage**

FILED

2003 MAR 27 P 4: 06

OFFICE WEST VIRGINIA
SECRETARY OF STATE

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,
- 2 every driver's license shall expire five years from the date
- 3 of its issuance.

4 (b) (1) Every driver's license issued to persons who have
5 attained their twenty-first birthday shall expire on the day
6 of the month designated by the commissioner in which the
7 applicant's birthday occurs in those years in which the
8 applicant's age is evenly divisible by five. Except as
9 provided in the following subdivisions and in subsection
10 (e) of this section, no driver's license may be issued for less
11 than three years nor more than seven years and shall be
12 valid for a period of five years, expiring in the month in
13 which the applicant's birthday occurs and in a year in
14 which the applicant's age is evenly divisible by five. (2)
15 Every driver's license issued to persons who have not
16 attained their twenty-first birthday shall expire on the day
17 of the month designated by the commissioner in the year
18 in which the applicant attains the age of twenty-one years,
19 except as provided in section three-a of this article.

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

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

31 (c) A person who allows his or her driver's license to
32 expire may apply to the division for renewal of the license.
33 Application shall be made upon a form furnished by the
34 division and shall be accompanied by payment of the fee
35 required by section eight of this article plus an additional
36 fee of five dollars. The commissioner shall determine
37 whether the person qualifies for a renewed license and
38 may, in the commissioner's discretion, renew any expired
39 license without examination of the applicant.

40 (d) Each renewal of a driver's license shall contain a new
41 color photograph of the licensee. By first class mail to the
42 address last known to the division, the commissioner shall
43 notify each person who holds a valid driver's license of the
44 expiration date of the license. The notice shall be mailed
45 at least thirty days prior to the expiration date of the
46 license and shall include a renewal application form.

47 (e) A license issued to a person who is not a citizen of the
48 United States may only be issued for the time the person
49 is legally authorized to be in the United States, not to
50 exceed five years. If the time the person is authorized to
51 be in the United States is extended, the commissioner may
52 renew the license for the time extended, not to exceed five
53 years.

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

Lucy White

.....
Chairman Senate Committee

Greg Butcher
.....
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

Darrell Holman
.....
Clerk of the Senate

Barbara D. Boy
.....
Clerk of the House of Delegates

Carl Ray Tomblin
.....
President of the Senate

Robert Beiss
.....
Speaker House of Delegates

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

Bob Wise
.....
Governor

PRESENTED TO THE
GOVERNOR

Date 3/19/03

Time 4:30 