

Senate Bill No. 268

(By Senators Laird, Foster, Kessler (Acting President) and Yost)

[Introduced January 25, 2011; referred to the Committee on
Transportation and Infrastructure; and then to the Committee on
Finance.]

**FISCAL
NOTE**

A BILL to amend the Code of West Virginia, 1931, as amended, by
adding thereto a new section, designated §17B-3-14, relating
to motor vehicle driver's licenses; establishing a driver's
license restoration program; making legislative findings; and
granting rule-making authority.

Be it enacted by the Legislature of West Virginia:

That the Code of West Virginia, 1931, as amended, be amended
by adding thereto a new section, designated §17B-3-14, to read as
follows:

ARTICLE 3. CANCELLATION, SUSPENSION OR REVOCATION OF LICENSES.

**§17B-3-14. Legislative findings; license restoration program;
rulemaking.**

(a) The Legislature finds:

(1) That a growing number of drivers in the State of West

1 Virginia have their driver's licenses suspended or revoked each
2 year;

3 (2) That a majority of the suspension and revocation actions
4 undertaken by the Division of Motor Vehicles are for nondriving
5 related reasons including the nonpayment of citations and a variety
6 of other nonsafety related reasons;

7 (3) That there is a clear relationship between citizens having
8 a valid driver's license and the ability to gain and maintain
9 stable employment and other important matters affecting the quality
10 of life of citizens throughout the state; and

11 (4) That there are many areas within the state that are not
12 adequately served by public transportation which constitute a
13 reasonable alternative to transportation by means other than a
14 privately owned vehicle requiring the operator to have a valid
15 driver's license.

16 (b) The division is hereby required to establish a driver's
17 license restoration program within its driver services section.

18 (c) The driver's license restoration program is responsible
19 for providing information and other educational services intended
20 to assist persons in the reinstatement of their driving privileges
21 after their drivers' licenses have been suspended or revoked. The
22 program shall include, but is not limited to, the development of
23 instructional materials suitable for use in providing driver's
24 license reinstatement counseling that may be made available by

1 community-based social service agencies or other providers
2 recognizing the importance of reducing the economic and other
3 impacts associated with the suspension or revocation of drivers'
4 licenses.

5 (d) The commissioner shall:

6 (1) Develop information and educational materials necessary to
7 support the driver's license restoration program;

8 (2) Cooperate in the processing of information identifying the
9 specific driving history and the restoration requirements for
10 persons or counselors assisting those individuals whose drivers'
11 licenses have been suspended or revoked and who choose to
12 participate in a community-based program designed to assist in the
13 restoration of suspended or revoked drivers' licenses; and

14 (3) Make the program's services available at all regional
15 offices of the division and at all day report centers operated in
16 conjunction with community corrections programs throughout the
17 state. However, if there is not a regional office or a day report
18 center in a county, the commissioner shall provide the program's
19 services at another public meeting place in the county for which a
20 request for those services has been made.

21 (e) The commissioner shall propose rules for legislative
22 approval, in accordance with the provisions of article three,
23 chapter twenty-nine-a of this code, to implement the provisions of
24 this section.

NOTE: The purpose of this bill is to establish a driver's license restoration program for persons whose motor vehicle driver's license has been cancelled, suspended or revoked. The bill also makes legislative findings and grants rule-making authority.

This section is new; therefore, strike-throughs and underscoring have been omitted.