

WEST VIRGINIA LEGISLATURE

2018 REGULAR SESSION

ENROLLED

Committee Substitute

for

House Bill 2831

BY DELEGATES GEARHEART AND FRICH

(BY REQUEST OF THE DIVISION OF MOTOR VEHICLES)

[Passed February 20, 2018; in effect ninety days from passage.]

1 AN ACT to amend and reenact §17B-2-7a of the Code of West Virginia, 1931, as amended,
2 relating to the Driver's Licensing Advisory Board; requiring one member of the advisory
3 board to be a board certified neurologist licensed to practice medicine in this state;
4 reducing number of physicians or surgeons serving on advisory board from four to three;
5 permitting current appointees to advisory board to continue to serve until successors have
6 been appointed; authorizing Commissioner of Motor Vehicles to request opinion of
7 advisory board; requiring the board to respond to requests of the commissioner for
8 opinions; providing reimbursement for advisory board members for actual and necessary
9 expenses; requiring reimbursement to be consistent with guidelines of Travel
10 Management Office; and eliminating sunset provision for advisory board.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2. ISSUANCE OF LICENSE, EXPIRATION AND RENEWAL.

§17B-2-7a. Driver's Licensing Advisory Board.

1 (a) The Driver's Licensing Advisory Board is hereby continued. The board shall consist of
2 five members to be appointed by the Governor, by and with the advice and consent of the Senate,
3 for terms of three years, commencing July 1, 2018: *Provided*, That as to the members first
4 appointed, two shall be appointed for a term of three years, two shall be appointed for a term of
5 two years and one shall be appointed for a term of one year: *Provided, however*, That members
6 who last served as members of the board prior to the reenactment of this section by the
7 Legislature in the 2018 Regular Session shall continue to serve until their successors have been
8 appointed. A member shall continue to serve until his or her successor has been appointed. All
9 vacancies occurring on the board shall be filled by the Governor, by and with the advice and
10 consent of the Senate. One member of the board shall be an optometrist duly registered to
11 practice optometry in this state, one member shall be a board certified neurologist who is licensed
12 to practice medicine in this state, and the other three members of the board shall be physicians
13 or surgeons duly licensed to practice medicine or surgery in this state. The Governor shall appoint

14 persons qualified to serve on the board who, in his or her opinion, will best serve the work and
15 function of the board.

16 (b) The board shall advise the Commissioner of Motor Vehicles as to vision standards and
17 all other medical criteria of whatever kind or nature relevant to the licensing of persons to operate
18 motor vehicles under the provisions of this chapter. The commissioner may, in her or his
19 discretion, request the opinion of the board. The board shall, upon request, advise the
20 Commissioner of Motor Vehicles as to the mental or physical fitness of an applicant for, or the
21 holder of, a license to operate a motor vehicle. The board shall furnish the commissioner with all
22 such medical standards, statistics, data, professional information and advice as he or she may
23 reasonably request.

24 (c) The members of the board shall receive the same compensation as is paid to members
25 of the Legislature for their interim duties as recommended by the Citizens Legislative
26 Compensation Commission and authorized by law, for each day or substantial portion thereof
27 engaged in the performance of official duties. Each member of the board shall be reimbursed for
28 his or her actual and necessary expenses for each day or portion thereof engaged in the discharge
29 of official duties in a manner consistent with guidelines of the Travel Management Office of the
30 Department of Administration.

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

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Chairman, House Committee

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Chairman, Senate Committee

Originating in the House.

In effect ninety days from passage.

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Clerk of the House of Delegates

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Clerk of the Senate

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Speaker of the House of Delegates

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President of the Senate

The within this the.....
day of, 2018.

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Governor