

WEST VIRGINIA LEGISLATURE

2017 REGULAR SESSION

Introduced

House Bill 2831

BY DELEGATE GEARHEART AND FRICH

[By Request of the Division of Motor Vehicles]

[Introduced March 8, 2017; referred
to the Committee on Roads and Transportation then
Government Organization.]

1 A BILL to amend and reenact §17B-2-7a of the Code of West Virginia, 1931, as amended, relating
2 to the reconstitution of the Driver's Licensing Advisory Board, by requiring one member of
3 the board to be a licensed neurologist in this state, by requiring the board to respond to
4 requests of the commissioner when necessary in the discretion of the commissioner, by
5 striking obsolete sections of code and by adding statutory consistency.

Be it enacted by the Legislature of West Virginia:

1 That §17B-2-7a of the Code of West Virginia, 1931, as amended, be amended and
2 reenacted to read as follows:

ARTICLE 2. ISSUANCE OF LICENSE, EXPIRATION AND RENEWAL.

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

1 The Driver's Licensing Advisory Board is hereby continued. The board shall consist of five
2 members to be appointed by the Governor, by and with the advice and consent of the Senate, for
3 terms of three years, except that as to the members first appointed, two shall be appointed for a
4 term of three years, two shall be appointed for a term of two years and one shall be appointed for
5 a term of one year, all from July 1, 1974. All vacancies occurring on the board shall be filled by
6 the Governor, by and with the advice and consent of the Senate. One member of the board shall
7 be an optometrist duly registered to practice optometry in this state, one member shall be a
8 neurologist duly registered to practice neurology in this state and the other ~~four~~ three members of
9 the board shall be physicians or surgeons duly licensed to practice medicine or surgery in this
10 state. The Governor shall appoint persons qualified to serve on the board who, in his or her
11 opinion, will best serve the work and function of the board.

12 The board shall advise the Commissioner of Motor Vehicles as to vision standards and all
13 other medical criteria of whatever kind or nature relevant to the licensing of persons to operate
14 motor vehicles under the provisions of this chapter. The commissioner may, in her or his
15 discretion, request the opinion of the board. The board shall, upon request, advise the
16 Commissioner of Motor Vehicles as to the mental or physical fitness of an applicant for, or the

17 holder of, a license to operate a motor vehicle. The board shall furnish the commissioner with all
18 such medical standards, statistics, data, professional information and advice as he or she may
19 reasonably request.

20 The members of the board shall receive compensation and expense reimbursement in an
21 amount not to exceed the same compensation and expense reimbursement as is paid to
22 members of the Legislature for their interim duties as recommended by the Citizens Legislative
23 Compensation Commission and authorized by law, for each day or substantial portion thereof
24 engaged in the performance of official duties.

25 ~~Pursuant to the provisions of article ten, chapter four of this code, the driver's licensing~~
26 ~~advisory board shall continue to exist until July 1, 2009~~

NOTE: The purpose of this bill is to reconstitute the Driver's Licensing Advisory Board, to require one member of the board to be a licensed neurologist in this state, to require the board to respond to requests of the commissioner when necessary in the discretion of the commissioner, to delete obsolete language.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.