

# **WEST VIRGINIA LEGISLATURE**

## **2020 REGULAR SESSION**

**Introduced**

### **House Bill 4595**

BY DELEGATES ROBINSON, HORNBUCKLE, BYRD,  
PUSHKIN, ESTEP-BURTON, ROWE, FAST AND SKAFF

[Introduced January 29, 2020; Referred to the  
Committee on Technology and Infrastructure then  
Government Organization]

1 A BILL to amend and reenact §17B-1B-2 and §17B-1B-3 of the Code of West Virginia, 1931, as  
 2 amended, all relating to identification of anatomical organ donors on drivers' or chauffers'  
 3 license.

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

**ARTICLE 1B. DRIVERS' OR CHAUFFEURS' LICENSE IDENTIFICATION OF ANATOMICAL ORGAN DONORS.**

**§17B-1B-2. License application to contain space for donor.**

1 The commission shall provide space on every application for a driver's or chauffeur's  
 2 license or renewal thereof in which the applicant may indicate his or her desire to have ~~such a~~  
 3 marking on his or her driver's or chauffeur's license for organ donation. In addition, any person  
 4 whose license has not expired or who has already obtained a license may have ~~such this~~ marking  
 5 affixed by the commissioner upon request.

6 Beginning as soon as practicable, but no later than one year following the effective date  
 7 of the amendment to this section, the commissioner shall redesign the driver's license and  
 8 identification card application system to process requests for information regarding consent of the  
 9 individual to organ or tissue donation in an effort to increase awareness and public education  
 10 regarding the division's organ donation registry.

11 The following question shall be asked on the application for a driver's license or  
 12 identification card:

13 West Virginia strongly supports organ and tissue donation because of its lifesaving and  
 14 life-enhancing opportunities. Do you wish to have the organ donor designation printed on your  
 15 driver's license?

16 Only an affirmative response of an individual shall be noted on the front of the driver's  
 17 license or identification card and shall clearly indicate the individual's intent to donate organs or  
 18 tissue. A notation on an individual's driver's license or identification card that the individual intends

19 to donate organs or tissue is considered sufficient to satisfy all requirements for consent to organ  
20 or tissue donation.

**§17B-1B-3. Commissioner to publish information and notify other states of program.**

1           The commissioner shall publish the existence of such ~~such~~ the organ donor program along with  
2 information regarding the procedures for having such marking affixed to a license and shall notify  
3 his or her counterparts in each of the other states as to the existence of the program and the  
4 significance of the marking.

5           The commissioner shall include an informational notice when the division mails a renewal  
6 notice to the holder of a license or identification card. The notice shall explain the existence of  
7 the division's donation program, shall include information meant to raise awareness and public  
8 education for organ donation, and shall provide a means to register and unregister from the  
9 division's organ donation registry.

NOTE: The purpose of this bill is to identify anatomical organ donors on drivers' or chauffers' license.

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