

WEST VIRGINIA LEGISLATURE

2021 REGULAR SESSION

ENROLLED

Committee Substitute

for

House Bill 2400

BY DELEGATE FOSTER

[Passed April 1, 2021; in effect from passage.]

1 AN ACT to amend and reenact §64-8-1 *et seq.* of the Code of West Virginia, 1931, as amended,
2 all relating generally to authorizing certain agencies of the Department of Transportation
3 to promulgate legislative rules; authorizing the rules as filed and as modified by the
4 Legislative Rule-Making Review Committee and as amended by the Legislature;
5 authorizing the Division of Highways to promulgate a legislative rule relating to traffic and
6 safety rules; relating to authorizing the Division of Motor Vehicles to promulgate a
7 legislative rule relating to examination and issuance of driver's license; relating to
8 authorizing the Division of Motor Vehicles to promulgate a legislative rule relating to denial,
9 suspension, revocation, disqualification, restriction, non-renewal, cancellation,
10 administrative appeals and reinstatement of driving privileges; relating to authorizing the
11 Division of Motor Vehicles to promulgate a legislative rule relating to compulsory motor
12 vehicle liability insurance, and relating to authorizing the Division of Motor Vehicles to
13 promulgate a legislative rule relating to special purpose vehicles.

Be it enacted by the Legislature of West Virginia:

**ARTICLE 8. AUTHORIZATION FOR DEPARTMENT OF TRANSPORTATION TO
PROMULGATE LEGISLATIVE RULES.**

§64-8-1. Division of Highways.

1 The legislative rule filed in the State Register on August 28, 2020, authorized under the
2 authority of §17-2A-8 of this code, relating to the Division of Highways (traffic and safety rules,
3 157 CSR 05), is authorized.

§64-8-2. Division of Motor Vehicles.

1 (a) The legislative rule filed in the State Register on August 11, 2020, authorized under the
2 authority of §17B-2-15 of this code, modified by the Division of Motor Vehicles to meet the
3 objections of the Legislative Rule-Making Review Committee and refiled in the State Register on

4 September 29, 2020, relating to the Division of Motor Vehicles (examination and issuance of
5 driver's license, 91 CSR 04), is authorized with the following amendment:

6 On page 4, after subdivision 3.11.e., by adding a new subdivision 3.11.f. to read as follows:

7 3.11.f. In the Commissioner's discretion, the Division may accept a social security
8 number provided by any applicant for a driver's license or identification card without a
9 document presented as proof of social security number when the United States Social
10 Security Administration verifies the social security number electronically, except for license
11 types where a social security card or document submission is mandated by federal law or
12 regulation.

13 (b) The legislative rule filed in the State Register on August 19, 2020, authorized under the
14 authority of §17A-2-9 of this code, relating to the Division of Motor Vehicles (denial, suspension,
15 revocation, disqualification, restriction, non-renewal, cancellation, administrative appeals and
16 reinstatement of driving privileges, 91 CSR 05), is authorized.

17 (c) The legislative rule filed in the State Register on August 28, 2020, authorized under the
18 authority of §17A-2-9 of this code, modified by the Division of Motor Vehicles to meet the
19 objections of the Legislative Rule-Making Review Committee and refiled in the State Register on
20 September 29, 2020, relating to the Division of Motor Vehicles (compulsory motor vehicle liability
21 insurance, 91 CSR 13), is authorized.

22 (d) The legislative rule filed in the State Register on August 7, 2020, authorized under the
23 authority of §17A-13-1(m) of this code, modified by the Division of Motor Vehicles to meet the
24 objections of the Legislative Rule-Making Review Committee and refiled in the State Register on
25 November 17, 2020, relating to the Division of Motor Vehicles (special purpose vehicles, 91 CSR
26 25), is authorized.

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 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

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day of, 2021.

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Governor