

WEST VIRGINIA LEGISLATURE

2021 REGULAR SESSION

Committee Substitute

for

House Bill 2400

BY DELEGATE FOSTER

[Originating in the Committee on the Judiciary;
reported on February 15, 2021]

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

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

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

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

NOTE: The purpose of this bill is to authorize the Division of Highways to promulgate a legislative rule relating to traffic and safety rules.

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