

WEST VIRGINIA LEGISLATURE

2016 REGULAR SESSION

Introduced

House Bill 4164

**FISCAL
NOTE**

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[Introduced January 20, 2016; referred to the
committee on Roads and Transportation then
Education.]

1 A BILL to amend and reenact §17B-2-7 of the Code of West Virginia, 1931, as amended, related
2 to requiring the Department of Motor Vehicles to conduct drivers tests as a pilot program,
3 at certain high schools to provide better access for students.

Be it enacted by the Legislature of West Virginia:

1 That §17B-2-7 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-2-7. Examination of applicants.

1 (a) Upon the presentment of the applicant's certified copy of the birth certificate issued by
2 a state or other governmental entity responsible for vital records or a valid and unexpired passport
3 issued by the United States government, as evidence that the applicant is of lawful age and
4 verifiable identity, the Division of Motor Vehicles shall examine every applicant for a license to
5 operate a motor vehicle in this state, except as otherwise provided in this section. The examination
6 shall include a test of the applicant's eyesight, the applicant's ability to read and understand
7 highway signs regulating, warning, and directing traffic, the applicant's knowledge of the traffic
8 laws of this state, and the applicant's knowledge of the effects of alcohol upon persons and the
9 dangers of driving a motor vehicle under the influence of alcohol. The examination shall also
10 include an actual demonstration of ability to exercise ordinary and reasonable control in the
11 operation of a motor vehicle, and any further physical and mental examination as the Division of
12 Motor Vehicles considers necessary to determine the applicant's fitness to operate a motor
13 vehicle safely upon the highways. The division shall create and administer a pilot program in
14 which the division conducts examinations for licenses in one high school in each congressional
15 district to provide access for students who may have difficulty getting to a regional division office
16 to obtain license. The division shall report on the pilot program's progress to the Joint Committee
17 on Government and Finance by January 1, 2018, to enable the committee to evaluate whether

18 the program should be extended to other counties.

19 (b) The commissioner shall propose legislative rules for promulgation in accordance with
20 the provisions of article three, chapter twenty-nine-a of this code concerning the examination of
21 applicants for licenses and the qualifications required of applicants, and the examination of
22 applicants by the division shall be in accordance with the rules. The rules shall provide for the
23 viewing of educational material or films on the medical, biological, and psychological effects of
24 alcohol upon persons, the dangers of driving a motor vehicle while under the influence of alcohol
25 and the criminal penalties and administrative sanctions for alcohol and drug related motor vehicle
26 violations.

27 (c) After successful completion of the examination required by this section, section three-
28 a, or section seven-b of this article, and prior to the issuance of a license pursuant to the provisions
29 of section eight of this article, every applicant for a driver's license, graduated driver's license, or
30 motorcycle-only license shall attend a mandatory education class on the dangers and social
31 consequences of driving a motor vehicle while under the influence of alcohol. To the extent
32 practicable, the commissioner shall use as lecturers at those classes persons who can relate first-
33 hand experiences as victims or family members of victims of alcohol-related accidents or drivers
34 who have been involved in alcohol-related accidents which caused serious bodily injury or death.

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NOTE: The purpose of this bill is to require the Division of Motor Vehicles to create a pilot program to offer drivers examinations in certain high schools, to provide added access for students.

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