

WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

Introduced

House Bill 3268

By Delegates Barnhart, Worrell, Linville, Reynolds,
and Ferrell

[Introduced February 03, 2023; Referred to the
Committee on Technology and Infrastructure]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
2 designated §17B-2-16; and to amend said code by adding thereto a new article,
3 designated §33-62-1, all relating to adding protections for West Virginia residents who
4 reside out of state for certain time periods from non-renewal of licenses and registration.

Be it enacted by the Legislature of West Virginia:

CHAPTER 17B. MOTOR VEHICLE DRIVER'S LICENSES.

ARTICLE 2. ISSUANCE OF LICENSE, EXPIRATION AND RENEWAL.

§17B-2-16. West Virginia residents exempt from nonrenewal in certain circumstances.

1 West Virginia residents who are active-duty military and who have been deployed out of
2 state or the country, as well as West Virginia residents who are enrolled in a college, university, or
3 trade school out of state or out of the country are hereby classified as "full time residents" of the
4 state of West Virginia for the purpose of motor vehicle license and registration renewal as
5 otherwise set forth in this article. Individuals in this class shall maintain his or her license and
6 registration in West Virginia, as well as his or her address of record home state.

CHAPTER 33. INSURANCE.

ARTICLE 62. WEST VIRGINIA RESIDENTIAL RENEWAL PROTECTION ACT.

§33-62-1. West Virginia residents exempt from nonrenewal in certain circumstances.

1 (a) Legislative findings. – West Virginia residents who are active-duty military, who have
2 been deployed to other states, and who still maintain an "address of record" in other states for a
3 period of six months are currently not protected from non-renewal for insurance purposes for
4 periods of non-residency that extend over six months. This has produced a troublesome result of
5 those persons having to obtain insurance, as well as a motor vehicle license and driver's license at
6 every expected stop that lasts over six months. For this reason, to protect West Virginia residents
7 who are out of state for purposes of being in the military, there should be protection for these
8 individuals to ensure that these problems do not continue to exist. These protections shall also

9 apply to full time West Virginia residents who are enrolled as college, university, or trade school
10 students at an out of state school.

11 (b) *Enactment.* – West Virginia residents who are active-duty military and who have been
12 deployed out of state or the country, as well as West Virginia residents who are enrolled in a
13 college, university, or trade school out of state or out of the country are hereby classified as "full
14 time residents" of the state of West Virginia for the purpose of insurance renewal otherwise set
15 forth in this chapter. Individuals in this class shall maintain his or her license and registration in
16 West Virginia, as well as his or her address of record home state.

17 (c) *Effective date.* – This article shall become effective July 1, 2023.

NOTE: The purpose of this bill is to add protections for West Virginia residents who reside out of state for certain time periods from non-renewal of licenses and registration.

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