

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Introduced

House Bill 5565

By Delegates Summers, Hanshaw (Mr. Speaker),
Tully, Young, Petitto, Pushkin, Hornbuckle, and Lewis

[Introduced February 12, 2024; Referred to the
Committee on Technology and Infrastructure]

1 A BILL to amend and reenact §17B-2-1c of the Code of West Virginia, 1931, as amended, relating
2 to requiring the Division of Motor Vehicles to provide an identification card for eligible
3 released inmates.

Be it enacted by the Legislature of West Virginia:

ARTICLE 19. ISSUE OF LICENSE, EXPIRATION AND RENEWAL.

§17B-2-1c. Identification card for released inmates.

1 (a) The West Virginia Division of ~~Corrections and Rehabilitation is authorized to~~ Motor
2 Vehicles shall issue a temporary an identification card to an eligible inmate at no cost, no earlier
3 later than seven days prior to the inmate's release from the division's custody. ~~An identification~~
4 ~~card issued pursuant to this section shall be valid for 180 days after the date of issuance.~~

5 (b) A valid identification card issued pursuant to this section shall have the same force and
6 effect as a standard identification card issued by the Division of Motor Vehicles pursuant to §17B-
7 2-1(f) of this code.

8 (c)~~(1) Notwithstanding any other provision of this code, the Division of Motor Vehicles shall~~
9 ~~accept a valid identification card issued pursuant to this section as sufficient proof of identity, age,~~
10 ~~and residency of a person applying for an identification card or driver's license pursuant to §17B-2-~~
11 ~~1 of this code.~~

12 (2) ~~If the Division of Motor Vehicles is unable to verify the person's Social Security number~~
13 ~~by another means, the Division of Motor Vehicles shall contact the Division of Corrections and~~
14 ~~Rehabilitation to verify the Social Security number provided by such person. The Division of Motor~~
15 ~~Vehicles shall accept verification by the Division of Corrections and Rehabilitation as sufficient~~
16 ~~documentation of the person's Social Security number for the purpose of issuing such person an~~
17 ~~identification card or driver's license pursuant to §17B-2-1 of this code~~

18 (3) The Division of Corrections and Rehabilitation, in collaboration with the Division of
19 Motor Vehicles, shall develop a policy to permit the sharing of released inmates' Social Security
20 numbers for the limited purposes of this section, and shall obtain any necessary written

21 authorization from an inmate prior to the inmate's release from the Division of Corrections and
22 Rehabilitation's custody.

23 (d) An inmate is not eligible to receive an identification card pursuant to this section if the
24 inmate is in possession of a valid West Virginia identification card or driver's license, which expires
25 more than 30 days after the inmate's date of release from the Division of Corrections and
26 Rehabilitation's custody, or if the inmate is not a citizen of the United States.

27 (e) Nothing in this section shall be construed to permit or require issuance of an
28 identification card or driver's license for federal use, in violation of the standards promulgated
29 pursuant to the REAL ID Act of 2005, 49 U.S.C. § 30301 *et seq.*

30 (f) During the six months preceding an inmate's release date from the Division of
31 Corrections and Rehabilitation's custody, the division shall assist the inmate to obtain a certified
32 copy of the inmate's birth certificate, a Social Security card, and a state-issued driver's license or
33 identification card.

NOTE: The purpose of this bill is to require the Division of Motor Vehicles to provide an identification card for inmates who do not have a West Virginia identification card or driver's 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.