

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

ENROLLED

Committee Substitute

for

House Bill 4577

By Delegates Hornby, Kyle, Heckert, Crouse, Criss,
Sheedy, McGeehan, Flanigan, Hanshaw (Mr.
Speaker), Akers, and Maynor

[Passed March 14, 2026; in effect 90 days from
passage (June 12, 2026)]

1 AN ACT to amend and reenact §3-2-11 of the Code of West Virginia, 1931, as amended;
2 and to amend the code by adding a new section, designated §17A-2-10b, relating to driver's
3 licenses; directing commissioner of division of motor vehicles to enter into reciprocal agreements
4 with designated foreign countries for recognition of valid foreign driver's licenses and recognition
5 of valid West Virginia driver's licenses; requiring compliance with financial responsibility laws;
6 clarifying that foreign citizens with recognized driver's licenses are not authorized to register to
7 vote in this state; authorizing fees; specifying foreign countries eligible for reciprocal agreements;
8 and providing for rulemaking.

Be it enacted by the Legislature of West Virginia:

CHAPTER 3. ELECTIONS.

ARTICLE 2. REGISTRATION OF VOTERS. **§3-2-11. Registration in conjunction with driver licensing.**

1 (a) The Division of Motor Vehicles or other division or department that may be established
2 by law to perform motor vehicle driver licensing services, shall, except with respect to foreign
3 driver's licenses recognized pursuant to reciprocal agreements under §17A-2-10b of this code,
4 obtain as an integral and simultaneous part of every process of application for the issuance,
5 renewal, or change of address of a motor vehicle driver's license, or official identification card
6 pursuant to §17B-2-1 *et seq.* of this code, when the division's regional offices are open for regular
7 business, the following information from each qualified registrant:

8 (1) Full name, including first, middle, last, and any premarital names;

9 (2) Date of birth;

10 (3) Residence address and mailing address, if different;

11 (4) The applicant's electronic signature and photograph;

12 (5) Telephone number, if available;

13 (6) Email address, if available;

14 (7) Political party membership, if any;

15 (8) Driver's license number and last four digits of Social Security number;

16 (9) A notation that the applicant has attested that he or she meets all voter eligibility
17 requirements;

18 (10) United States citizenship status;

19 (11) Whether the applicant affirmatively declined to become registered to vote during the
20 transaction with the Division of Motor Vehicles;

21 (12) Date of application; and

22 (13) Any other information specified in rules adopted to implement this section.

23 (b) Unless the applicant affirmatively declines to become registered to vote or update his or
24 her voter registration during the transaction with the Division of Motor Vehicles, the Division of
25 Motor Vehicles shall release all of the information obtained pursuant to subsection (a) of this
26 section to the Secretary of State, who shall forward the information to the county clerk for the
27 relevant county to process the newly registered voter or updated information for the already-
28 registered voter pursuant to law. The Division of Motor Vehicles shall notify the applicant that by
29 submitting his or her signature, the applicant grants written consent for the submission of the
30 information obtained and required to be submitted to the Secretary of State pursuant to this
31 section.

32 (c) As soon as practicable, but no later than 90 days following the effective date of
33 amendments made during the 2024 regular legislative session, the Division of Motor Vehicles
34 shall create a regular process, including, but not limited to, the requirements of §3-2-11(p) of this
35 code, that ensures the Secretary of State can fulfill his or her duties as provided by §3-2-3 of this
36 code to confirm that any applicant to register to vote in West Virginia through the Division of Motor
37 Vehicles is in fact a U.S. citizen eligible to vote in West Virginia and to ensure that persons who are
38 noncitizens of the United States have not and cannot register to vote in West Virginia.

39 (d) Information regarding a person's failure to sign the voter registration application is
40 confidential and may not be used for any purpose other than to determine voter registration.

41 (e) A qualified voter who submits the required information or update to his or her voter
42 registration, pursuant to the provisions of subsection (a) of this section, in person at a driver
43 licensing facility at the time of applying for, obtaining, renewing, or transferring his or her driver's
44 license or official identification card, and who presents identification and proof of age at that time,
45 is not required to make his or her first vote in person or to again present identification in order to
46 make that registration valid.

47 (f) A qualified voter, who submits, by mail or by delivery by a third party, an application for
48 registration on the form used in conjunction with driver licensing, is required to make his or her first
49 vote in person and present identification as required for other mail registration in accordance with
50 §3-2-10(g) of this code. If the applicant has been previously registered in the jurisdiction and the
51 application is for a change of address, change of name, change of political party affiliation, or other
52 correction, the presentation of identification and first vote in person is not required.

53 (g) An application for voter registration submitted pursuant to the provisions of this section
54 updates a previous voter registration by the applicant and authorizes the cancellation of
55 registration in any other county or state in which the applicant was previously registered.

56 (h) A change of address from one residence to another within the same county which is
57 submitted for driver licensing or nonoperator's identification purposes in accordance with
58 applicable law, serves as a notice of change of address for voter registration purposes if requested
59 by the applicant after notice and written consent of the applicant.

60 (i) Completed applications for voter registration or change of address for voting purposes
61 received by an office providing driver licensing services shall be forwarded to the Secretary of
62 State within five days of receipt unless other means are available for a more expedited
63 transmission. The Secretary of State shall remove and file any forms which have not been signed
64 by the applicant and shall forward completed, signed applications to the clerk of the appropriate

65 county commission within five days of receipt.

66 (j) Voter registration application forms containing voter information which are returned to a
67 driver licensing office unsigned shall be collected by the Division of Motor Vehicles, submitted to
68 the Secretary of State, and maintained by the Secretary of State's office according to the retention
69 policy adopted by the Secretary of State.

70 (k) The Secretary of State shall establish procedures to protect the confidentiality of the
71 information obtained from the Division of Motor Vehicles, including any information otherwise
72 required to be confidential by other provisions of this code.

73 (l) A person registered to vote pursuant to this section may cancel his or her voter
74 registration at any time by any method available to any other registered voter.

75 (m) This section does not require the Division of Motor Vehicles to determine eligibility for
76 voter registration and voting.

77 (n) Except for the changes made to subsection (b) of this section during the 2017 regular
78 legislative session, the changes made to this section during the 2016 regular legislative session
79 become effective on July 1, 2021, and any costs associated therewith shall be paid by the Division
80 of Motor Vehicles. The Commissioner of the Division of Motor Vehicles, the Secretary of the
81 Department of Transportation, and the Secretary of State shall each appear before the Joint
82 Committee on Government and Finance and the Joint Standing Committee on the Judiciary,
83 during the first interim meetings of such committees occurring after September 1, 2019, to present
84 written reports containing a full and complete list of any infrastructure each agency requires to
85 achieve the purposes of this section. Along with the report required by this subsection, the Division
86 of Motor Vehicles shall submit a written schedule to both committees outlining how the division will
87 implement the requirements of this section by July 1, 2021.

88 (o) The Secretary of State shall propose rules for legislative approval in accordance with
89 §29A-3-1 *et seq.* of this code to implement the requirements of this section.

90 (p) Notwithstanding any other provisions of this code to the contrary, the Division of Motor

91 Vehicles shall expeditiously and comprehensively release and forward all information obtained
92 pursuant to subsection (a) of this section purporting to document an applicant's status as a U.S.
93 citizen to the Secretary of State of any applicant attempting to register to vote in West Virginia.
94 This information shall be used for the express purpose of expediting the Secretary of State's
95 fulfillment of his or her duties pursuant to §3-2-11(c) and §3-2-3 of this code requiring the Secretary
96 of State to confirm that persons who are noncitizens of the United States have not and cannot
97 register to vote in the state of West Virginia.

98 (q) The amendments to this section enacted by the Legislature in the 2024 regular session
99 are effective January 1, 2025.

**CHAPTER 17A. MOTOR VEHICLE ADMINISTRATION, REGISTRATION,
CERTIFICATE OF TITLE, AND ANTITHEFT PROVISIONS.**

ARTICLE 2. DIVISION OF MOTOR VEHICLES.

§17A-2-10b. Same – Entry into reciprocal agreements with certain foreign countries.

1 (a) The commissioner shall seek to enter into reciprocal agreements with the proper
2 authorities of the foreign countries specified in subsection (e) of this section, which agreements
3 shall provide for:

4 (1) The recognition of valid driver's licenses of citizens of said foreign countries in this state
5 when such citizens are lawfully present in the United States; and

6 (2) The recognition of valid driver's licenses of citizens of this state by the authorities of
7 said foreign countries.

8 The commissioner shall only enter into such reciprocal agreements upon a determination
9 that the requirements and qualifications for the issuance of a driver's license in the foreign country
10 are at least as stringent as those of this state. Following the entry into a reciprocal agreement, a
11 citizen of the country that is party to the agreement, who possesses a valid driver's license issued
12 by the appropriate licensing authority of that country, and who is otherwise lawfully present in the

13 United States, may, subject to the terms of the relevant reciprocal agreement, operate a motor
14 vehicle in this state without obtaining a West Virginia driver's license.

15 (b) Any person operating a motor vehicle in this state with a foreign driver's license granted
16 recognition by a reciprocal agreement entered into under this section must comply with the
17 compulsory motor vehicle liability insurance and financial responsibility laws of this state.

18 (c) A citizen of a foreign country that has entered into a reciprocal agreement with this state
19 pursuant to this section shall not, by virtue of having his or her foreign driver's license recognized
20 for use in this state, be registered to vote in this state pursuant to §3-2-11 of this code.

21 (d) The commissioner may, in his or her discretion, set registration and other fees for the
22 recognition of foreign driver's licenses under reciprocal agreements entered into pursuant to this
23 section.

24 (e) Reciprocal agreements with the following foreign countries are hereby authorized:

25 (1) The Republic of Ireland; and

26 (2) Japan.

27 (f) The commissioner shall propose rules for legislative approval in accordance with the
28 provisions of §29A-3-1 *et seq.* of this code providing for the entry into reciprocal agreements
29 pursuant to the provisions of this section.