

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Introduced

House Bill 5514

By Delegates Anders and Kimble

[Introduced February 13, 2026; referred to the
Committee on Energy and Public Works then the
Judiciary]

1 A BILL to amend the Code of West Virginia, 1931, by adding a new article, designated §17B-8-1,
 2 relating to Real ID Act of 2005, Public Law 1090-13; and providing that West Virginia
 3 citizens may not be required to obtain a Real ID Act state-issued operator's license.

Be it enacted by the Legislature of West Virginia:

**ARTICLE 8. DIVISION NOT TO MANDATE PARTICIPATION IN THE REAL ID ACT OF
 2005, PUBLIC LAW 1090-13.**

§17B-8-1. Legislative finding; prohibiting implementation of REAL ID Act.

1 (a) The Legislature finds that the enactment into law by the United States Congress of the
 2 REAL ID Act of 2005, as part of Public Law 109-13, is inimical to the security and well-being of the
 3 people of West Virginia, will cause unneeded expense and inconvenience to the people of this
 4 state and was adopted by the United States Congress in violation of the principles of federalism
 5 contained in the Tenth Amendment to the United States Constitution.

6 (b) The State of West Virginia may not participate in the mandatory implementation of the
 7 REAL ID Act of 2005 insofar as it requires the establishment of national standards for state-issued
 8 driver's licenses and nondriver identification cards. The Department of Transportation, including
 9 the Division of Motor Vehicles, is directed to cease mandatory implementation of the provisions of
 10 the REAL ID Act of 2005 insofar as it requires the establishment of national standards for state-
 11 issued driver's licenses and nondriver identification cards and to report to the Governor any
 12 attempt by agencies or agents of the United States Department of Homeland Security to secure
 13 the implementation of that portion of the REAL ID Act of 2005 through the operations of that
 14 division. Citizens may obtain a REAL ID Act state-issued driver's license or nondriver identification
 15 cards from the Division of Motor Vehicles only if they so desire.

NOTE: The purpose of this bill is to provide that West Virginia will not participate in the "REAL ID Act of 2005" enacted by the United States Congress in Public Law 109-13.

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