

# **WEST VIRGINIA LEGISLATURE**

**2026 REGULAR SESSION**

**Committee Substitute**

**for**

**Senate Bill 558**

BY SENATORS TAYLOR AND DEEDS

[Reported February 19, 2026, from the Committee on  
the Judiciary]



1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding three new sections,  
2 designated §17C-12-7b, §17C-12-7c, and §17C-12-7d, relating to school bus safety  
3 violations by vehicle operators; creating an aggravated offense related to passing a  
4 stopped school bus; establishing criminal and administrative penalties; requiring  
5 completion of a driver education safety course; establishing amount of points accruing to  
6 driver's license; and permitting administrative penalties in certain circumstances.

*Be it enacted by the Legislature of West Virginia:*

**§17C-12-7b. Aggravated passing or failure to stop for a stopped school bus.**

1 (a) A person commits the offense of aggravated illegal passing of a stopped school bus  
2 when the person overtakes, passes, attempts to pass, or fails to stop for a school bus that is  
3 stopped and displaying activated stop arm signals and flashing warning light signals for the  
4 purpose of receiving or discharging school children, in violation of §17C-12-7 of this code, and  
5 one or more of the following aggravating circumstances are present:

6 (1) The violation occurs at a speed exceeding the posted speed limit by 10 miles per hour  
7 or more;

8 (2) The vehicle passes the school bus on the side where school children are entering or  
9 exiting; or

10 (3) A school child is outside of the school bus and present in the roadway, shoulder, or  
11 the immediate vicinity of the school bus at the time of the violation.

12 (b) Any person convicted under this section is guilty of a misdemeanor and shall be fined  
13 not less than \$1,500 nor more than \$3,000 and confined in a regional jail facility for not less than  
14 48 consecutive hours nor more than six months. The mandatory minimum term of confinement  
15 may not be suspended, deferred, or subject to probation.

16 (c) A person convicted under this section twice within a five-year period shall be fined not  
17 less than \$3,000 nor more than \$4,500 and confined in a regional jail facility for not less than

18 seven consecutive days. The mandatory minimum term of confinement may not be suspended,  
19 deferred, or subject to probation.

20 (d) A third conviction under this section within a 10-year period constitutes a felony  
21 punishable by imprisonment in a state correctional facility for not less than one year nor more  
22 than five years and a fine of not less than \$5,000. A person sentenced pursuant to this subsection  
23 must serve a minimum of 30 consecutive days before being eligible for a suspended or deferred  
24 sentence.

25 (e) Upon a conviction under this section, the Division of Motor Vehicles shall suspend the  
26 driver's license of the offender for a period of not less than 90 days for a first offense, 180 days  
27 for a second offense, and one year for a third or subsequent offense.

28 (f) If serious bodily injury or death results from a violation of this section, the offender shall  
29 be prosecuted under the applicable felony provisions of this code.

**§17C-12-7c. Mandatory driver education; driver's license points.**

1 (a) Any person convicted of a violation of §17C-12-7 or §17C-12-7b of this code shall be  
2 required, as a condition of reinstatement of driving privileges, to successfully complete a school  
3 bus safety and driver education course.

4 (b) Notwithstanding any other provision of code, for purposes of calculating points  
5 accruing on an individual's driver's license, a violation of §17C-12-7 or §17C-12-7b of this code  
6 constitutes a six-point violation.

**§17C-12-7d. Stop-arm camera; administrative penalties; owner liability; plate suspension.**

1 (a) Where there is a violation of §17C-12-7b of this code, the operator of the vehicle is  
2 unknown, and where the sole evidence of the violation is the presence of a vehicle at the scene  
3 pursuant to a stop-arm camera recording, it may be inferred that the operator of the recorded  
4 vehicle was the owner or lessee of the motor vehicle for purposes of administrative penalties  
5 including license suspension, point accrual, driver education, and the fines references in §17C-

6 12-7b and §17C-12-7c of this code: *Provided*, That the inference may be rebutted with evidence  
7 demonstrating the vehicle was not operated by the owner.

8 (b) Adjudication of any license suspension and fine shall be done through the  
9 administrative hearing process established by the Division of Motor Vehicles and is subject to  
10 appeal.