

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Introduced

House Bill 4099

By Delegates Horst, Brooks, Dean, B. Ward, Mallow,
Holstein, Hillenbrand, Crouse, Mazzocchi, Moore, and
Funkhouser

[Introduced January 14, 2026; referred to the
Committee on the Judiciary]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new section,
2 designated §17B-1A-3, relating to drivers licenses issued in other states to undocumented
3 immigrants not being recognized as valid in West Virginia.

Be it enacted by the Legislature of West Virginia:

ARTICLE 1A. DRIVER LICENSE COMPACT.

§17B-1A-3. Unauthorized immigrants; invalid out-of-state driver's licenses.

1 (a) If a driver license is of a class of licenses issued by another state exclusively to
2 undocumented immigrants who are unable to prove lawful presence in the United States when the
3 licenses are issued, the driver license, or other permit purporting to authorize the holder to operate
4 a motor vehicle on public roadways, is invalid in this state and does not authorize the holder to
5 operate a motor vehicle in this state. Such classes of licenses include licenses that are issued
6 exclusively to undocumented immigrants or licenses that are substantially the same as licenses
7 issued to citizens, residents, or those lawfully present in the United States but have markings
8 establishing that the license holder did not exercise the option of providing proof of lawful
9 presence.

10 (b) A law enforcement officer or other authorized representative of the department who
11 stops a person driving with an invalid license as described in subsection (1) and driving without a
12 valid license shall issue a citation to the driver for driving without a license in violation of this code.

13 (c) The department, to facilitate the enforcement of this section and to aid in providing
14 notice to the public and visitors of invalid licenses, shall maintain on its website a list of out-of-state
15 classes of driver licenses that are invalid in this state.

NOTE: The purpose of this bill is to establish that drivers licenses issued in other states to undocumented immigrants are not recognized as valid in West Virginia.

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