

WEST VIRGINIA ADMINISTRATIVE REGULATIONS
Department of Motor Vehicles

Chapter 17A-2
Series IV
(1964)

Subject: Operator's and Chauffeur's Division

Section 4. Rules and Regulations Pertaining to this Division.

4:01 Driver's Manual

In accordance with the provisions of Chapter 17B, Article 2, Section 7 of the Code of West Virginia, 1931, as amended, a Driver's Manual and Handbook for applicants for an Operator's or Chauffeur's License shall be promulgated and revised from time to time. In addition to pertinent information concerning licensing examinations, the Manual shall contain safety hints and a concise statement of the traffic regulations and laws of the road of this State. It is hoped that knowledge of such matters will promote greater highway safety. The Driver's Manual, Revised July 1, 1963, presently being distributed is hereby constituted the official rules and regulations of the Department concerning the examination of applicants for Operator's and Chauffeur's Licenses and the qualifications required of such applicants.

4:02. Instruction or Learner's Permits

Any person under the age of 21 years at the time of taking the eye, sign recognition and traffic law tests preliminary to the issuance of an instruction or learner's permit shall exhibit his or her birth certificate, or a duly certified copy thereof, to the examining officer at the time of taking such tests, and the birth date on such birth certificate, or certified copy thereof, must be identical with the date of birth shown on the application for the instruction or learner's permit before said application may be approved by the examining officer.

An application for an instruction or learner's permit will not be accepted by the Department unless the same is received by the Department within thirty days from the date on which the eye, sign recognition and traffic law tests were successfully completed by such applicant.

In accordance with the provisions of Chapter 17B, Article 2, Section 5 of the Code of West Virginia, 1931, as amended, no instruction or learner's permit may be renewed or issued to any person more than 120 days from the date of original issuance of an instruction or learner's permit to such person unless such person again passes the eye, sign recognition and traffic law tests.

4:03. West Virginia Address Required for Operator's License

An Operator's License will not be issued to any person who does not show a bona fide address within the State of West Virginia. An exception will be made for persons residing in West Virginia who live near the State line and who receive their mail through a post office in an adjoining state. However, such persons must state on their applications for such license that they reside in West Virginia. (Inasmuch as persons residing in West Virginia may not, as a matter of fact, receive mail through any post office in the State of Ohio, the above exception will not apply to Ohio addresses.)

Persons residing outside of the State of West Virginia may not renew their West Virginia Operator's Licenses until they again establish a residence in the State of West Virginia.

4:04. Out-of-State Operator's or Chauffeur's Licenses

A person who has one or more valid Operator's or Chauffeur's licenses from another state, or states, or the District of Columbia, a valid driver's license or licenses issued by the armed forces of the United States, or one or more valid Operator's or Chauffeur's licenses from any of the possessions of the United States, may apply and receive a comparable West Virginia license without the necessity of examination upon payment of the required fees. The applicant must fill out the proper license application for the type of license such applicant desires and forward same to the Department.

If application is made for a West Virginia Operator's license or renewal thereof, such application shall not be processed by the Department until the applicant surrenders to the Department all operator's licenses issued by any other state, or states, or District of Columbia, or any of the possessions of the United States. The applicant shall not be required to surrender such operator's licenses when application is made for a West Virginia Chauffeur's License, or renewal thereof, provided such Chauffeur's License is restricted to operation of vehicles by such applicant in the State of West Virginia.

4:05. Junior Operator's License

Upon review of Chapter Seventeen-B, Article Two, Sections Two and Three of the Motor Vehicle Code as amended and re-enacted by the Legislature, Regular Session 1965, authorizing the Department of Motor Vehicles to issue a Junior Operator's License to applicants between the ages of sixteen and eighteen, it appears:

That action by the Department requires exercise of the administrative authority vested in the Commissioner to adopt regulations to carry out the provisions and to prescribe standards and procedures for such action. It is accordingly ordered:

Any person between the ages of sixteen and eighteen making application to the Department of Motor Vehicles for an Operator's License on and after May 31, 1965 will be issued an Operator's License designated as a WEST Virginia Junior Operator's License.

No Junior Operator's License will be issued unless the application therefor is accompanied by a written consent to the issuance of such Junior Operator's License, executed by the parents of the applicant; or if only one parent is living, then by such parent; or if the parents be living separate and apart, by the one to whom was awarded the custody of the applicant; or if there is a guardian entitled to the custody of the applicant, then by such guardian.

Forms will be made available by the Department to all applicants

for such consent. The form must be completed in every detail and all questions must be answered. The form must be signed by the parents, parent or guardian as the case requires and acknowledged before a Notary Public. Once the consent is given by the parents, parent or guardian and the Department has issued the Junior Operator's License, the consent may not be withdrawn.

Application forms will be the same as used when making application for a Regular Operator's License. The license will be the same size, type, color, will require the statutory five dollar fee and will contain the same information shown on the Regular Operator's License. The License will expire the first day of the month following the month in which the applicant attains his or her eighteenth birthday. Renewal Notices will be mailed at least thirty days before the license expires.

Any person holding a Valid WEST Virginia Junior Operator's License who has reached the age of eighteen years shall be entitled to make application to the Department of Motor Vehicles for a renewal of the Operator's License and upon payment of the statutory fee of five dollars the Department will issue to the applicant a regular Operator's or Chauffeur's License without further examination or driver testing. If the Junior Operator's License is expired when application is made for the Regular Operator's License, a fee of six dollars will be required.

Any person between the ages of sixteen and eighteen making application to the Department of Motor Vehicles for a Junior Operator's License, who has a Valid Operator's License from another state, may be issued such

license without taking the usual test and examinations required by statute, provided the state issuing the out-of-state license requires an examination for a Junior Operator's License. However, the applicant will be required to surrender the out-of-state license and furnish the Department of Motor Vehicles with the consent of the parents, parent or guardian as to the issuance of such Junior Operator's License.

Applicants between the ages of sixteen and eighteen who are married will not be required to have their parent's consent to the issuance of a Junior Operator's License. However, a copy of the marriage certificate must be submitted with the application for Operator's License. The marriage certificate will be returned to the applicant when the License is issued.