

VIRGINIA ACTS OF ASSEMBLY -- 2000 SESSION

CHAPTER 269

An Act to amend and reenact § 46.2-328 of the Code of Virginia, relating to driver's license endorsements, classifications, and restrictions.

[H 1465]

Approved April 2, 2000

Be it enacted by the General Assembly of Virginia:

1. That § 46.2-328 of the Code of Virginia is amended and reenacted as follows:

§ 46.2-328. Department to issue licenses; endorsements, classifications, and restrictions authorizing operation of certain vehicles.

A. The Department shall issue to every person licensed as a driver, a driver's license. Every driver's license ~~applied for and issued or renewed before January 1, 1990,~~ shall contain ~~the~~ *all* appropriate ~~endorsement endorsements, classifications, and restrictions,~~ where applicable, if the licensee has been licensed:

1. ~~To operate buses, other than school buses, equipped with more than thirty-two passenger seats, or~~
2. ~~To operate any vehicle or combination of vehicles having three or more axles with a licensed gross weight in excess of 40,000 pounds, or~~
3. ~~To operate a motorcycle as defined in § 46.2-100, or~~
4. ~~2. To operate a school bus as defined in § 46.2-100, or~~
5. ~~To drive as a chauffeur~~
3. *To operate a commercial motor vehicle pursuant to the provisions of the Virginia Commercial Driver's License Act (§ 46.2-341.1 et seq.).*

B. Every applicant intending to operate one or more of the motor vehicles described in ~~subdivision 1 or 2 of subsection A of this section,~~ when applying for a driver's license, shall state in his application, ~~if applicable, that he has driven at least 500 miles in the vehicle of the classification which of the vehicle or vehicles that he intends to operate and for which he seeks to be licensed. Alternatively, he shall and~~ submit to and pass the examination provided for in § 46.2-325 ~~and, if applicable, §§ 46.2-337 and 46.2-341.14,~~ using the type of vehicle ~~or vehicles~~ for which he seeks to be licensed.

C. Every applicant intending to drive a motorcycle, when applying for a license endorsed to authorize the driving of a motorcycle, shall submit to and pass the examination provided for in § 46.2-337. A classification on any license to drive a motorcycle shall indicate that the license is classified for the purpose of authorizing the licensee to drive only motorcycles. However, if the applicant has a valid driver's license at the time of application for a classification to drive a motorcycle, or if the applicant, at the time of such application, applies for a regular driver's license and submits to and passes the examination provided for in § 46.2-325, he shall be granted a classification on his driver's license to drive motorcycles in addition to any other vehicles his driver's license ~~or commercial driver's license~~ may authorize him to operate.

D. The Department may make any changes in the classifications and endorsements during the validity of the license as may be appropriate.

E. The provisions of this section shall be applicable to persons applying for learner's permits as otherwise provided for in this title.

F. Every person issued a driver's license ~~or commercial driver's license~~ who drives any motor vehicle of the classifications in this section, and whose driver's license does not carry an endorsement or indication that the licensee is licensed as provided in this section shall be guilty of a Class 1 misdemeanor.

G. Every driver's license ~~applied for, issued, or renewed on or after January 1, 1990,~~ shall contain the appropriate indication, where applicable, that the licensee has been licensed (i) to operate a commercial motor vehicle pursuant to the provisions of the Virginia Commercial Driver's License Act (~~§ 46.2-341.1 et seq.~~); or (ii) to operate a motorcycle, as defined in § 46.2-100; or (iii) to operate a school bus as defined in § 46.2-100.