

2001 SESSION

ENROLLED

VIRGINIA ACTS OF ASSEMBLY — CHAPTER

An Act to amend and reenact § 46.2-207 of the Code of Virginia, relating to uncollected checks and electronic payments to the Department of Motor Vehicles; penalty.

[H 1958]

Approved

Be it enacted by the General Assembly of Virginia:

1. That § 46.2-207 of the Code of Virginia is amended and reenacted as follows:

§ 46.2-207. Uncollected checks and electronic payments tendered for license fees or taxes; penalty.

If any bank on which an uncertified check *or electronic payment* tendered to the Department or to any agent acting on behalf of the Department refuses payment on the check ~~due to insufficient funds in the account of the drawer, no account in the name of the drawer, or account of the drawer closed or~~ *electronic payment*, and the check ~~shall be~~ *or electronic payment is* returned to the Department or agent unpaid, there shall be a penalty of twenty-five dollars or ten percent of the amount of the check *or electronic payment*, whichever is greater, imposed on the person from whom the payment is due the Department. This penalty shall apply to checks *or electronic payments* tendered for any fee or tax required or authorized to be collected by the Department and shall be in addition to any other penalties imposed by the Motor Vehicle Laws of Virginia, except in a case where there is a specific penalty set forth by statute for the nonpayment or late payment of fees or taxes, in which case this section shall apply only in the amount it exceeds the specific penalty. All moneys collected by the Commissioner from the penalties imposed under this section shall be paid into the state treasury and set aside as a special fund to be used to meet the expenses of the Department of Motor Vehicles.

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