

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding a section numbered 46.2-102.1, relating to*  
3 *cooperative exchange of information between the United States Department of State, Immigration and*  
4 *Naturalization Service, and other federal law-enforcement agencies and the Department of Motor*  
5 *Vehicles and the Department of State Police.*

6  
7 Approved

[H 637]

8 **Be it enacted by the General Assembly of Virginia:**

9 **1. That the Code of Virginia is amended by adding a section numbered 46.2-102.1 as follows:**

10 § 46.2-102.1. *Exchange of information between certain federal agencies and the Department of*  
11 *Motor Vehicles and the Department of State Police.*

12 *The Department of Motor Vehicles and the Department of State Police shall participate in any and*  
13 *all federal programs that seek to monitor the status of aliens residing in the United States. Data*  
14 *obtained through such participation shall be used to prevent the issuance of Virginia driver's licenses,*  
15 *commercial driver's licenses, temporary driver's permits, learner's permits, motorcycle learner's permits,*  
16 *or special identification cards to persons who are not lawfully present in the United States. The*  
17 *Department of State Police and the Department of Motor Vehicles shall enter into such agreements with*  
18 *the United States Department of State, the Immigration and Naturalization Service, and other federal*  
19 *law-enforcement agencies as may be necessary to permit and facilitate the interchange of*  
20 *law-enforcement data and related information concerning those aliens residing in the United States who*  
21 *hold or apply for Virginia driver's licenses, commercial driver's licenses, temporary driver's permits,*  
22 *learner's permits, motorcycle learner's permits, or special identification cards in order (i) to ensure that*  
23 *persons who hold or apply for these documents are lawfully entitled to do so and (ii) to facilitate the*  
24 *detection and prevention of criminal activity and the identification and apprehension of persons engaged*  
25 *in criminal activity.*

26 *The Department of Motor Vehicles and the Department of State Police are authorized to exchange*  
27 *with one another and with the United State Department of State, the Immigration and Naturalization*  
28 *Service, and other federal law-enforcement agencies such data and other information as may be*  
29 *necessary or convenient in carrying out the purposes of this section, any contrary provision of Chapter*  
30 *2 (§ 46.2-200) of this title notwithstanding.*

31 **2. That the provisions of this act shall not become effective unless reenacted by the 2003 Regular**  
32 **Session of the General Assembly.**

ENROLLED

HB637ER