

# 2003 SESSION

INTRODUCED

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## HOUSE BILL NO. 1944

Offered January 8, 2003

Prefiled January 7, 2003

*A BILL to amend and reenact § 46.2-427 of the Code of Virginia, relating to license suspensions for failure to pay judgments.*

Patron—Drake

Referred to Committee on Transportation

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

#### **1. That § 46.2-427 of the Code of Virginia is amended and reenacted as follows:**

§ 46.2-427. When suspensions to remain effective; relief from furnishing proof of financial responsibility; prohibition against registration in name of another person.

The suspension required by the provisions of § 46.2-417 shall continue except as otherwise provided by §§ 46.2-421 and 46.2-423 until the person satisfies the judgment or judgments as prescribed in § 46.2-419 and gives proof of his financial responsibility in the future. *However, if such a suspension has been in effect for at least 10 years, the person so suspended may petition the court that entered the judgment, or the circuit court in the county or city where the person resides for reinstatement even though the judgment has not been satisfied. The court may grant the petition, provided the person proves to the satisfaction of the court that the judgment order that caused the suspension has been removed from the records of the courts and from the records of the Department thereby causing the person responsible for paying the judgment unable to determine (i) to whom payment is due or where the person to whom payment is due is located, or (ii) if the person to whom payment is due is dead or cannot be found, who his heirs and assigns are, or where they are located.*

The motor vehicle involved in the accident on which the suspension under § 46.2-417 is based shall not be registered in the name of any other person when the Commissioner has reasonable grounds to believe that the registration of the vehicle will have the effect of defeating the purpose of the chapter and no other motor vehicle shall be registered, and no driver's license or learner's permit shall be issued in the name of the person suspended, except as prescribed in § 46.2-437 until the suspension is terminated.

This section shall not relieve any person from giving or maintaining proof of his financial responsibility when he is required so to do for some reason rather than having been involved in a motor vehicle accident.

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