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**HOUSE BILL NO. 2137**

Offered January 8, 2003

Prefiled January 8, 2003

*A BILL to amend and reenact § 46.2-694 of the Code of Virginia, relating to motor vehicle registrations; voluntary contributions to Jamestown 400th anniversary commemoration.*

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 Referred to Committee on Appropriations
 

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**Be it enacted by the General Assembly of Virginia:****1. That § 46.2-694 of the Code of Virginia is amended and reenacted as follows:**

§ 46.2-694. Fees for vehicles designed and used for transportation of passengers; weights used for computing fees; burden of proof; voluntary contributions to Jamestown 400th anniversary commemoration.

A. The annual registration fees for motor vehicles, trailers, and semitrailers designed and used for the transportation of passengers on the highways in the Commonwealth are:

1. Twenty-three dollars for each private passenger car or motor home if the passenger car or motor home weighs 4,000 pounds or less, provided that it is not used for the transportation of passengers for compensation and is not kept or used for rent or for hire, or is not operated under a lease without a chauffeur.

2. Twenty-eight dollars for each passenger car or motor home which weighs more than 4,000 pounds, provided that it is not used for the transportation of passengers for compensation and is not kept or used for rent or for hire, or is not operated under a lease without a chauffeur.

3. Thirty cents per 100 pounds or major fraction thereof for a private motor vehicle other than a motorcycle with a normal seating capacity of more than ten adults including the driver if the private motor vehicle is not used for the transportation of passengers for compensation and is not kept or used for rent or for hire or is not operated under a lease without a chauffeur. In no case shall the fee be less than twenty-three dollars if the vehicle weighs 4,000 pounds or less or twenty-eight dollars if the vehicle weighs more than 4,000 pounds.

4. Thirty cents per 100 pounds or major fraction thereof for a school bus. In no case shall the fee be less than twenty-three dollars if the vehicle weighs 4,000 pounds or less or twenty-eight dollars if the vehicle weighs more than 4,000 pounds.

5. Twenty-three dollars for each trailer or semitrailer designed for use as living quarters for human beings.

6. Thirteen dollars plus thirty cents per 100 pounds or major fraction thereof for each motor vehicle, trailer, or semitrailer used as a common carrier of passengers, operating either intrastate or interstate. Interstate common carriers of interstate passengers may elect to be licensed and pay the fees prescribed in subdivision 7 of this subsection on submission to the Commissioner of a declaration of operations and equipment as he may prescribe. An additional five dollars shall be charged if the motor vehicle weighs more than 4,000 pounds.

7. Thirteen dollars plus seventy cents per 100 pounds or major fraction thereof for each motor vehicle, trailer, or semitrailer used as a common carrier of interstate passengers if election is made to be licensed under this subsection. An additional five dollars shall be charged if the motor vehicle weighs more than 4,000 pounds. In lieu of the foregoing fee of seventy cents per 100 pounds, a motor carrier of passengers, operating two or more vehicles both within and outside the Commonwealth and registered for insurance purposes with the Surface Transportation Board of the United States Department of Transportation, Federal Highway Administration, may apply to the Commissioner for prorated registration. Upon the filing of such application, in such form as the Commissioner may prescribe, the Commissioner shall apportion the registration fees provided in this subsection so that the total registration fees to be paid for such vehicles of such carrier shall be that proportion of the total fees, if there were no apportionment, that the total number of miles traveled by such vehicles of such carrier within the Commonwealth bears to the total number of miles traveled by such vehicles within and outside the Commonwealth. Such total mileage in each instance is the estimated total mileage to be traveled by such vehicles during the license year for which such fees are paid, subject to the adjustment in accordance with an audit to be made by representatives of the Commissioner at the end of such license year, the expense of such audit to be borne by the carrier being audited. Each vehicle passing into or through Virginia shall be registered and licensed in Virginia and the annual registration fee to be paid for each such vehicle shall not be less than thirty-three dollars. For the purpose of determining such

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HB2137

59 apportioned registration fees, only those motor vehicles, trailers, or semitrailers operated both within and  
60 outside the Commonwealth shall be subject to inclusion in determining the apportionment provided for  
61 herein.

62 8. Thirteen dollars plus eighty cents per 100 pounds or major fraction thereof for each motor vehicle,  
63 trailer or semitrailer kept or used for rent or for hire or operated under a lease without a chauffeur for  
64 the transportation of passengers. An additional fee of five dollars shall be charged if the vehicle weighs  
65 more than 4,000 pounds. This subsection does not apply to vehicles used as common carriers.

66 9. Twenty-three dollars for a taxicab or other vehicle which is kept for rent or hire operated with a  
67 chauffeur for the transportation of passengers, and which operates or should operate under permits issued  
68 by the Department as required by law. An additional fee of five dollars shall be charged if the vehicle  
69 weighs more than 4,000 pounds. This subsection does not apply to vehicles used as common carriers.

70 10. Eighteen dollars for a motorcycle, with or without a sidecar. To this fee shall be added a  
71 surcharge of three dollars which shall be distributed as provided in § 46.2-1191.

72 11. Twenty-three dollars for a bus used exclusively for transportation to and from Sunday school or  
73 church, for the purpose of divine worship. If the empty weight of the vehicle exceeds 4,000 pounds, the  
74 fee shall be twenty-eight dollars.

75 12. Thirteen dollars plus seventy cents per 100 pounds or major fraction thereof for other  
76 passenger-carrying vehicles.

77 13. An additional fee of four dollars per year shall be charged and collected at the time of  
78 registration of each pickup or panel truck and each motor vehicle under subdivisions 1 through 12 of  
79 this subsection. All funds collected pursuant to this subdivision shall be paid into the state treasury and  
80 shall be set aside as a special fund to be used only for emergency medical service purposes. The  
81 moneys in the special fund shall be distributed as follows:

82 a. Two and one-half percent shall be distributed to the Virginia Association of Volunteer Rescue  
83 Squads;

84 b. Thirteen and one-half percent shall be distributed to the State Department of Health to support (i)  
85 emergency medical services training programs (excluding advanced life support classes), (ii) advanced  
86 life support training, and (iii) recruitment and retention programs (all funds for such support shall be  
87 used to recruit and retain volunteer emergency medical services personnel only, including public  
88 awareness campaigns, technical assistance programs, and similar activities). Any funds set aside for  
89 distribution under this provision and remaining undistributed at the end of any fiscal year shall revert to  
90 the Rescue Squad Assistance Fund;

91 c. Thirty-one and three-quarters percent shall be distributed to the Rescue Squad Assistance Fund;

92 d. Twenty-seven and one-quarter percent shall be available to the State Department of Health for use  
93 in emergency medical services; and

94 e. Twenty-five percent shall be returned by the Comptroller to the locality wherein such vehicle is  
95 registered, to provide funding for training of volunteer or salaried emergency medical service personnel  
96 of licensed, nonprofit emergency medical services agencies and for the purchase of necessary equipment  
97 and supplies for use in such locality for licensed, nonprofit emergency medical and rescue services.

98 The Comptroller shall clearly designate on the warrant, check, or other means of transmitting these  
99 funds that such moneys are only to be used for purposes set forth in this subdivision. Such funds shall  
100 be in addition to any local appropriations and local governing bodies shall not use these funds to  
101 supplant local funds. Each local governing body shall report annually to the Board of Health on the use  
102 of the twenty-five percent of the funds which were returned to it. In any case in which the local  
103 governing body grants the funds to a regional emergency medical services council to be distributed to  
104 the licensed, nonprofit emergency medical and rescue services, the local governing body shall remain  
105 responsible for the proper use of the funds. If, at the end of any fiscal year, a report on the use of the  
106 twenty-five percent of the funds for that year has not been received from a local governing body, any  
107 funds due to that local governing body for the next fiscal year shall be retained until such time as the  
108 report has been submitted to the Board.

109 *B. Until July 1, 2008, any form used in applying for the registration of any pickup or panel truck*  
110 *and each motor vehicle under subdivisions 1 through 12 of subsection A of this subsection or the*  
111 *renewal of any such registration shall include language permitting the applicant to make a voluntary*  
112 *contribution of two dollars to support a special license plate program and other activities in*  
113 *commemoration of the 400th anniversary of Jamestown Settlement in 2007. The funds collected under*  
114 *this subsection shall be applied first to cover the costs of the Department of Motor Vehicles in*  
115 *administering the commemorative license program, and all other funds collected under this subsection*  
116 *shall be paid monthly to the Virginia 400th Anniversary Fund to support community programs and other*  
117 *statewide activities related to the planning, promotion, and commemoration of the 400th anniversary of*  
118 *Jamestown and Virginia in 2007.*

119 *B C.* All motor vehicles, trailers, and semitrailers registered as provided in subsection B of  
120 § 46.2-646 shall pay a registration fee equal to one-twelfth of all fees required by subsection A of this

121 section or § 46.2-697 for such motor vehicle, trailer, or semitrailer, computed to the nearest cent,  
122 multiplied by the number of months in the registration period for such motor vehicles, trailers, and  
123 semitrailers.

124     € *D.* The manufacturer's shipping weight or scale weight shall be used for computing all fees  
125 required by this section to be based upon the weight of the vehicle.

126     Ð *E.* The applicant for registration bears the burden of proof that the vehicle for which registration is  
127 sought is entitled by weight, design, and use to be registered at the fee tendered by the applicant to the  
128 Commissioner or to his authorized agent.

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HB2137