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HOUSE BILL NO. 2459

Offered January 8, 2003

Prefiled January 8, 2003

A BILL to amend and reenact §§ 15.2-1636 and 46.2-205 of the Code of Virginia, relating to powers and duties of commissioners of the revenue; officers and agents of the Department of Motor Vehicles.

Patron—McDougle

Referred to Committee on Transportation

Be it enacted by the General Assembly of Virginia:

1. That §§ 15.2-1636 and 46.2-205 of the Code of Virginia are amended and reenacted as follows:

§ 15.2-1636. Commissioner of the revenue.

The voters in every county and city shall elect a commissioner of the revenue, unless otherwise provided by general law or special act. The commissioner of the revenue shall exercise all the powers conferred and perform all the duties imposed upon such officer by general law. He may perform such other duties, not inconsistent with his office, as the governing body may request. He shall be elected for a term of four years as provided by general law.

Every commissioner of the revenue shall enter into an agreement with the Commissioner of the Department of Motor Vehicles to act as an agent of the Commissioner to register motor vehicles that have situs in their localities and collect fees associated therewith. The registration of motor vehicles shall include the issuance and collection of fees for license plates and decals and disabled parking indicia, including, but not limited to, farm use license plates, special license plates, disabled parking license plates, and any form of disabled parking placard.

§ 46.2-205. Department offices and agencies.

A. The Commissioner shall maintain his office in the Commonwealth at a location which he determines to be appropriate. He may appoint agents and maintain branch offices in the Commonwealth in whatever locations he determines to be necessary to carry out this title.

The personnel of each branch office and each agency shall be appointed by the Commissioner and shall be bonded in an amount fixed by the Commissioner. The person in charge of the branch office and each agency shall deposit daily in the local bank, or at such other intervals as may be designated by the Commissioner, to the account of the State Treasurer, all moneys collected, and shall submit daily to the Commissioner, or at such other intervals as may be designated by the Commissioner, a complete record of what each deposit is intended to cover. The Commissioner shall not be held liable in the event of the loss of any moneys collected by such agents resulting from their failure to deposit such money to the account of the State Treasurer.

The compensation of the personnel of each branch office and each agency is to be fixed by the Commissioner. The compensation fixed for each nonautomated agency for the purpose of maintaining adequate annual service to the public shall be three and one-half percent of the first \$500,000 of gross collections made by the agency, two percent of the next \$500,000 of gross collections made by the agency, and one percent of all gross collections in excess of \$1,000,000 made by the agency during each fiscal year.

The compensation fixed for each automated agency for the purpose of maintaining adequate annual service to the public shall be three and one-half percent of gross collections made by the agency during each fiscal year.

The compensation awarded shall belong to the agents for their services under this section, and the Commissioner shall cause to be paid all freight, cartage, premium on bond and postage, but not any extra clerk hire or other expenses occasioned by their duties.

B. Every commissioner of the revenue shall enter into an agreement with every Commissioner of the Department of Motor Vehicles to act as an agent of the Commissioner to register motor vehicles that have situs in their localities and collect fees associated therewith. The registration of motor vehicles shall include the issuance and collection of fees for license plates and decals and disabled parking indicia, including, but not limited to, farm use license plates, special license plates, disabled parking license plates, and any form of disabled parking placard. Commissioners of the revenue acting as agents of the Commissioner of the Department of Motor Vehicles as authorized in this subsection shall be compensated as provided in subsection A.

INTRODUCED

HB2459