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SENATE BILL NO. 915

Offered January 8, 2003

Prefiled January 7, 2003

A BILL to amend and reenact § 46.2-221.1 of the Code of Virginia, relating to registration of certain applicants for learner's permits, driver's licenses, commercial driver's licenses, and special identification cards with the Selective Service System; moral or religious objections to registration.

Patron—Ruff

Referred to Committee on Transportation

Be it enacted by the General Assembly of Virginia:**1. That § 46.2-221.1 of the Code of Virginia is amended and reenacted as follows:**

§ 46.2-221.1. Registration with Selective Service required for issuance of learner's permits, driver's licenses, commercial driver's licenses, and special identification cards to certain applicants.

A. Every male applicant for a learner's permit, driver's license, commercial driver's license, special identification card, or renewal of any such permit, license, or card who is less than twenty-six years old and is either a citizen of the United States or an immigrant shall, at the time of his application, be registered in compliance with the requirement of section 3 of the Military Selective Service Act, 50 U.S.C. Appx. § 451 et seq. The application for a learner's permit, driver's license, commercial driver's license, special identification card, or renewal of any such permit, license, or card submitted by any such person shall indicate either (i) that he is already registered with the Selective Service or (ii) that he authorizes the Department to forward to the Selective Service System the personal information necessary for such registration. This personal information shall be forwarded by the Department to the Selective Service System in an electronic format. The Department shall include on its application forms notice to affected persons that their submission of the application grants their consent to be registered with the Selective Service System, if required to so register by federal law.

Data received by the Selective Service System under this subsection that pertains to any persons less than eighteen years old shall not be used to register that person with the Selective Service until that person is eighteen years old.

B. If the applicant for a learner's permit, driver's license, commercial driver's license, special identification card, or renewal of any such permit, license, or card is a male less than eighteen years old, his application shall be signed by his parent or by the guardian having custody of him. If he has no parent or guardian, then no learner's permit, driver's license, commercial driver's license, or special identification card shall be issued to him or renewed by the Department unless his application is signed by the judge of the juvenile and domestic relations district court of the city or county in which he resides. If the minor making the application is married or otherwise emancipated, in lieu of any parent's, guardian's or judge's signature, the minor may present proper evidence of the solemnization of the marriage or the order of emancipation and sign the application himself. By signing the application as required in this subsection, the parent, guardian, or judge, or emancipated minor shall be deemed to authorize the Department to register the applicant with the Selective Service System as provided in subsection A.

C. If any male applicant for a learner's permit, driver's license, commercial driver's license, special identification card, or renewal of any such permit, license, or card who is required by subsection A to be registered with the Selective Service System declines, refuses, or fails to do so, his application shall be denied.

D. The provisions of this section shall not apply to any person less than 18 years old if his application for a learner's permit, driver's license, commercial driver's license, special identification card, or renewal of any such permit, license, or card is accompanied by a written statement, signed by a parent or guardian, stating that such parent or guardian declines to sign the application, as required by subsection B, because such parent or guardian has a moral or religious objection to the registration of the applicant with the Selective Service System.

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