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HOUSE BILL NO. 86

House Amendments in [] — February 2, 2004

A BILL to amend and reenact § 46.2-346 of the Code of Virginia, relating to photographing or otherwise copying certain driver documents issued by the Department of Motor Vehicles.

Patron Prior to Engrossment—Delegate Cosgrove

Referred to Committee on Transportation

Be it enacted by the General Assembly of Virginia:

1. That § 46.2-346 of the Code of Virginia is amended and reenacted as follows:

§ 46.2-346. Unlawful acts enumerated.

A. No person shall:

1. Display, cause or permit to be displayed, or have in his possession any driver's license which he knows to be fictitious or to have been cancelled, revoked, suspended, or altered, or photographed for the purpose of evading the intent of this chapter;

2. Lend to, or knowingly permit the use of by one not entitled thereto, any driver's license issued to the person so lending or permitting the use thereof;

3. Display or represent as his own any driver's license not issued to him;

4. Reproduce by photograph or otherwise, any driver's license, temporary driver's permit, [or] learner's permit [, or special identification card] issued by the Department [without obtaining prior written consent of the Department with the intent to commit an illegal act] ;

5. Fail or refuse to surrender to the Department, on demand, any driver's license issued in the Commonwealth or any other state when the license has been suspended, cancelled, or revoked by proper authority in the Commonwealth, or any other state as provided by law, or to fail or refuse to surrender the suspended, cancelled, or revoked license to any court in which a driver has been tried and convicted for the violation of any law or ordinance of the Commonwealth or any county, city, or town thereof, regulating or affecting the operation of a motor vehicle.

[*The provisions of subdivision 4 of this section shall not apply to employees and officers of banks and other financial institutions who photograph or otherwise make copies of driver's licenses in connection with their customer identification programs.*]

B. Any law-enforcement officer empowered to enforce the provisions of this title may retain any driver's license held in violation of this section and shall submit the license to the appropriate court for evidentiary purposes.

ENGROSSED

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