

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 46.2-330 of the Code of Virginia, relating to vision examinations for*
 3 *applicants for renewal of driver's licenses and learner's permits.*

[S 402]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 46.2-330 of the Code of Virginia is amended and reenacted as follows:**

8 § 46.2-330. Expiration and renewal of licenses; examinations required.

9 A. Every driver's license shall expire on the applicant's birthday in years in which the applicant
 10 attains an age equally divisible by five. At no time shall any driver's license be issued for less than three
 11 nor more than seven years. Thereafter the driver's license shall be renewed on or before the birthday of
 12 the licensee and shall be valid for five years, expiring in the next year in which the licensee's age is
 13 equally divisible by five.

14 B. Within one year prior to the date shown on the driver's license as the date of expiration, the
 15 Department shall mail notice, to the holder thereof, at the address shown on the records of the
 16 Department in its driver's license file, that his license will expire on a date specified therein, whether he
 17 must be reexamined, and when he may be reexamined. Nonreceipt of the notice shall not extend the
 18 period of validity of the driver's license beyond its expiration date.

19 Any driver's license may be renewed by application, which shall include the applicant's certification
 20 of Virginia residency, after the applicant has taken and successfully completed those parts of the
 21 examination provided for in §§ 46.2-311, 46.2-325 and the Virginia Commercial Driver's License Act
 22 (§ 46.2-341.1 et seq.), including vision and written tests, other than the parts of the examination
 23 requiring the applicant to drive a motor vehicle. All drivers applying in person for renewal of a license
 24 shall take and successfully complete the examination each renewal year.

25 C. Notwithstanding any other provision of this section, the Commissioner, in his discretion, may
 26 require any applicant for renewal to be fully examined as provided in §§ 46.2-311, 46.2-325 and the
 27 Virginia Commercial Driver's License Act (§ 46.2-341.1 et seq.). Furthermore, *if the applicant is less*
 28 *than 80 years old*, the Commissioner may waive the vision examination for any applicant for renewal of
 29 a driver's license which is not a commercial driver's license, and the requirement or the taking of the
 30 written test as provided in subsection B of this section, § 46.2-325 and the Virginia Commercial Driver's
 31 License Act (§ 46.2-341.1 et seq.), for any applicant for renewal who is at least 21 years old if the
 32 applicant's driver's license record on file at the Department contains, for the five years prior to the
 33 expiration date of the license being renewed, a record of no more than one conviction for any offense
 34 reportable under §§ 46.2-382, 46.2-382.1, and 46.2-383. Such written test shall not be waived for an
 35 applicant less than 21 years old if he has one or more such convictions. However, in no case shall there
 36 be any waiver of the vision examination for applicants for renewal of a commercial driver's license or of
 37 the knowledge test required by the Virginia Commercial Driver's License Act for the hazardous
 38 materials endorsement on a commercial driver's license. *No driver's license or learner's permit issued to*
 39 *any person who is 80 years old or older shall be renewed unless the applicant for renewal appears in*
 40 *person and either (i) passes a vision examination or (ii) presents a report of a vision examination, made*
 41 *within 90 days prior thereto by an ophthalmologist or optometrist, indicating that the applicant's vision*
 42 *meets or exceeds the standards contained in § 46.2-311.*

43 D. Every applicant for renewal of a driver's license, whether renewal shall or shall not be dependent
 44 on any examination of the applicant, shall appear in person before the Department to apply for renewal,
 45 unless specifically notified by the Department that renewal may be accomplished in another manner as
 46 provided in the notice.

47 E. This section shall not modify the provisions of § 46.2-331.